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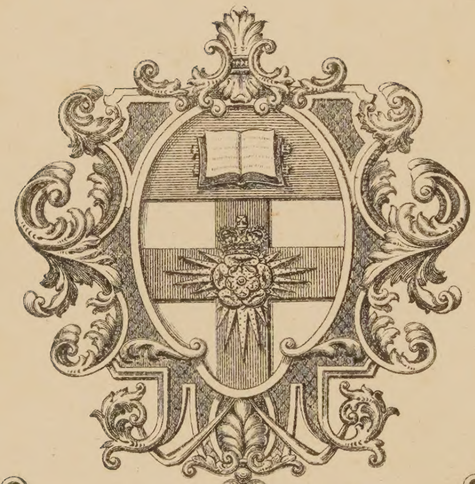

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HANSARD'S

PARLIAMENTARY DEBATES,

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COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

39° VICTORIÆ, 1876.

VOL. CCXXVII.

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TO

THE FOURTEENTH DAY OF MARCH 1876.

First Volume of the Session.

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"1. Circular Letter of Governor General in Council to Local Governments, dated the 14th day of August and the 2nd day of November 1872, calling for Returns of numbers of Christians in congregations, salaries of ministers to same, &c., and of Returns to the same by Local Governments;

"2. Memorandum by Lord Mayo, dated the 2nd day of December 1870, on position of Roman Catholic Chaplains in India;

"3. Despatch of Governor General in Council to the Secretary of State, dated the 21st day of December 1870;

"4. Minutes by Members of Council on the question of the position of the Roman Catholic Clergy in India, dated the 15th and the 22nd days of June 1872;

"5. Despatch of Governor General in Council to the Secretary of State, dated Simla, the 19th day of August 1872;

"6. Minutes by Members of Council on same subject, dated the 16th day of December 1873 and the 10th day of March 1874;

"7. Same by same, dated the 2nd and the 22nd days of July 1874;

"8. Memorial of Most Rev. Dr. Stein's delivered to Government of India;

"9. Minutes by Members of Council on Dr. Stein's Memorial dated the 19th day of October and the 9th day of November 1874;

"10. Letter and Memorandum addressed to the Secretary of State by M. O'Reilly, Esq., M.P., dated the 28th day of October 1875;

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Ordered, That a Select Committee be appointed to whom shall be referred all Petitions presented to the House, with the exception of such as relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of Signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House.

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(1.) £43,489, House of Lords Offices.
(2.) £50,006, House of Commons Offices.
(3.) £58,010, Treasury.
(4.) £90,178, Home Office.
(5.) £63,196, Foreign Office.
(6.) £34,755, Colonial Office.
(7.) £145,958, Board of Trade.
(8.) Motion made, and Question proposed, "That a sum, not exceeding £2,773, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of the Lord Privy Seal" 501

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RECEPTION OF FUGITIVE SLAVES — THE CIRCULARS — RESOLUTIONS—

Moved, "That, in the opinion of this House, a Slave once admitted to the protection of the British Flag should be treated while on board one of Her Majesty's ships as if he were free, and should not be removed from or ordered to leave the ship on the ground of slavery,"—(*Mr. Whitbread*) 685

Amendment proposed,

To leave out from the word "House" to the end of the Question, in order to add the words "in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships,"—(*Mr. Hanbury*,) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Herschell:*)—Motion *agreed to:*—Debate *adjourned* till *Thursday*.

COMMONS, WEDNESDAY, FEBRUARY 23.

Electoral County Boards (Ireland) Bill [Bill 8]—

Moved, "That the Bill be now read a second time,"—(*Captain Nolan*) .. 765

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Kavanagh.*)

After debate, Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added:* — Main Question, as amended, put, and *agreed to:*— Second Reading *put off* for six months.

Grand Jury Presentments, &c. (Ireland) Bill [Bill 22]—

Moved, "That the Bill be now read a second time,"—(*Mr. Butt*) .. 788

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Kavanagh.*)

Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 153, Noes 181; Majority 28.

Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

Wild Fowl Preservation Bill [Bill 42]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chaplin.*)

It being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

SUPPLY—CIVIL SERVICE ESTIMATES—Resolutions [February 18] *reported* .. 789

First Three Resolutions *agreed to.*

Fourth Resolution (Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department) *postponed.*

Next Four Resolutions *agreed to.*

Ninth and Tenth Resolutions (Salaries and Expenses of the Charity and Civil Service Commissions) *postponed.*

Subsequent Resolutions *agreed to.*

Postponed Resolutions to be considered upon *Friday.*

Drugging of Animals Bill—*Ordered* (*Sir John Astley, Mr. Chaplin, Mr. Rodwell*); *presented*, and read the first time [Bill 85] 789

Open Spaces (Metropolitan District) Bill—*Ordered* (*Mr. Whalley, Sir George Bowyer*); *presented*, and read the first time [Bill 86] 789

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NOXIOUS VAPOURS—Petition *presented* (*The Lord Winmarleigh*) .. 790
After short debate, Petition read, and *ordered* to lie on the Table.

University of Oxford Bill—
Bill for making further provision respecting the government of the University of Oxford, and of the Colleges therein, *presented* (*The Marquess of Salisbury*) 791
Moved, "That the Bill be now read 1ª."
After short debate, Motion *agreed to*:—Bill read 1ª. (No. 16.)

COMMONS, THURSDAY, FEBRUARY 24.

Metropolitan Board of Works Bill (*by Order*)—
Moved, "That the Bill be now read a second time,"—(*Sir James Hogg*) .. 806
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir Sydney Waterlow.*)
Question proposed, "That the word 'now' stand part of the Question:" —Amendment, by leave, *withdrawn*.
Main Question put, and *agreed to*:—Bill read a second time, and *committed*.

Metropolitan Railway Bill (*by Order*)—
Moved, "That the Bill be now read a second time,"—(*Sir Edward Watkin*) 807
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Lord Claud Hamilton.*)
After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 125, Noes 194; Majority 69.
Words *added*:—Main Question, as amended, put, and *agreed to*:—Second Reading *put off* for six months.

MARKET—BUBBLE COMPANIES, FRAUDULENT PRACTICES, &C.—Question, Sir George Campbell; Answer, Mr. Assheton Cross 810
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INTESTATES (SCOTLAND) ACT—LEGISLATION—Question, Mr. J. W. Barclay; Answer, The Lord Advocate 818

RECEPTION OF FUGITIVE SLAVES—Question, Mr. Mark Stewart; Answer, Mr. Whitbread 819

VIVISECTION—REPORT OF THE ROYAL COMMISSION—Question, Mr. Stansfeld; Answer, Mr. Assheton Cross 819

RECEPTION OF FUGITIVE SLAVES—THE CIRCULARS—RESOLUTIONS. ADJOURED DEBATE—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [22nd February],

"That, in the opinion of this House, a Slave once admitted to the protection of the British Flag should be treated while on board one of Her Majesty's ships as if he were free, and should not be removed from or ordered to leave the ship on the ground of slavery,"—(*Mr. Whitbread,*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships,"—(*Mr. Hanbury,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* 820

After long debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 248, Noes 293; Majority 45.

Division List, Ayes and Noes 897

Question proposed,

"That the words 'in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships,'—(*Mr. Hanbury,*)—be added,—instead thereof."

Amendment proposed to the said proposed Amendment,

To insert, after the word "desirable," the words "provided that the Circular of the 5th day of December 1875 and the East Indies Station Order of 1871, on the subject of Fugitive Slaves, shall not continue in force,"—(*Mr. Fawcett.*)

Question put, "That those words be there inserted:"—The House *divided;* Ayes 245, Noes 290; Majority 45.

Words *added:*—Main Question, as amended, put, and *agreed to.*

WAYS AND MEANS—*considered* in Committee.

Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding Four Million and Eighty Thousand Pounds, by issue of Exchequer Bonds, bearing interest at a rate not exceeding Three Pounds Ten Shillings per cent. per annum, and to be paid off from time to time at par."

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Biggar:*)—Motion, by leave, *withdrawn.*

1. *Resolved,* That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding Four Million and Eighty Thousand Pounds, by issue of Exchequer Bonds, bearing interest at a rate not exceeding Three Pounds Ten Shillings per cent. per annum, and to be paid off from time to time at par.

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WAYS AND MEANS—Committee—*continued.*

2. *Resolved,* That, towards meeting the principal and interest of such Exchequer Bonds, during the currency thereof, an annual sum not exceeding Two Hundred Thousand Pounds, be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.
3. *Resolved,* That the interest of such Exchequer Bonds shall be payable half-yearly out of the said sum of Two Hundred Thousand Pounds, and that the residue of the said sum shall be appropriated to the payment of the principal of the said Bonds.
4. *Resolved,* That, towards making good the Supply granted to her Majesty for the service of the year ending on the 31st day of March 1876, the sum of Four Million and Eighty Thousand Pounds be granted out of the Consolidated Fund of the United Kingdom.

Resolutions to be reported *To-morrow ;* Committee to sit again *To-morrow.*

TURNPIKE ACTS CONTINUANCE—

Select Committee *appointed,* "to inquire into the Sixth Schedule of 'The Annual Turnpike Acts Continuance Act, 1875,'"—(*Mr. Salt.*)

And, on February 25, Committee *nominated :*—List of the Committee .. 903

Instruction to the Committee, that they have power to inquire and report to the House under what conditions, with reference to the rate of interest, expenses of management, maintenance of road, payment of debt, and term of years, or other special arrangements, the Acts of the Trusts mentioned should be continued,—(*Mr. Salt.*)

Colonial Marriages Bill—*Ordered* (*Sir Thomas Chambers, Dr. Cameron, Mr. Young*); *presented,* and read the first time [Bill 87] 903

LORDS, FRIDAY, FEBRUARY 25.

RECEPTION OF FUGITIVE SLAVES—THE DEBATE IN THE COMMONS—Personal Explanation, Earl Granville :—Short debate thereon 903

Appellate Jurisdiction Bill (No. 5)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 909

After debate, Motion *agreed to :*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* the *3rd of March* next.

COMMONS, FRIDAY, FEBRUARY 25.

RAILWAY ACCIDENTS—THE ROYAL COMMISSION—Question, Mr. Samuelson; Answer, Sir Charles Adderley 928

NAVY—THE TROOP-SHIP "ORONTES"—Question, Mr. Palmer; Answer, Mr. Hunt 928

MUNICIPAL PRIVILEGES BILL AND THE BOARD OF WORKS (IRELAND)—SIGNATURE OF PETITIONS—Question, Mr. Butt; Answer, Sir Michael Hicks-Beach 928

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair :"—

OUR MILITARY FORCES—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present condition of the British Army is most unsatisfactory, and its cost extravagant; that our present practice of retaining men in barracks for Home Service longer than is necessary to make them efficient and thorough soldiers is vicious and immoral; and that, having regard to the efficient defence of the Country, it is inexpedient to maintain two rival paid forces in the United Kingdom,"—(*Mr. John Holms,*)—instead thereof 929

After debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

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SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—CLASS II. —SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(In the Committee.)

(1.) £23,875, Patent Office, &c.
(2.) £23,651, Paymaster General's Office.
(3.) £22,509, Public Record Office.
(4.) £9,600, Public Works Loan Commission, &c.
(5.) £45,911, Registrar General's Office, England.
(6.) £489,635, Stationery and Printing.—After short debate, Vote *agreed to* .. 990
(7.) £26,284, Office of Woods, Forests, &c.
(8.) £38,865, Works and Public Buildings Office.
(9.) £24,000, Secret Services.
(10.) £6,225, Exchequer and other Offices in Scotland.—After short debate, Vote *agreed to* 990
(11.) Motion made, and Question proposed, "That a sum, not exceeding £12,672, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, of the Salaries and Expenses of the Fishery Board in Scotland" 990
Motion made, and Question proposed, "That a sum, not exceeding £8,850, be granted, &c.,"—(*Sir William Cuninghame*:)—After short debate, Question put, and *negatived.*
Original Question again proposed.
Motion made, and Question proposed, "That a sum, not exceeding £12,322, be granted, &c.,"—(*Mr. James Barclay*:)—After short debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*
(12.) £5,705, Lunacy Commission, Scotland.—After short debate, Vote *agreed to* .. 994
(13.) £6,665, Registrar General's Office, Scotland.
(14.) £82,783, Board of Supervision, Scotland.

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

SUPPLY—REPORT—

Supply [18th February]—Postponed Resolutions [reported 23rd February] *considered* 995

Resolutions again read, as follow:—

(4.) "That a sum, not exceeding £90,178, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department and Subordinate Offices."
(9.) "That a sum, not exceeding £33,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Charity Commission for England and Wales."
(10.) "That a sum, not exceeding £22,893, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission."

Amendment proposed to the Fourth Resolution, to leave out "£90,178," and insert "£89,678,"—(*Mr. Macdonald*,)—instead thereof.

Question proposed, "That '£90,178' stand part of the Resolution:"—After short debate, Amendment, by leave, *withdrawn*:—Resolution *agreed to.*

Amendment proposed to the Ninth Resolution, to leave out "£33,500," and insert "£31,500,"—(*Mr. James*,)—instead thereof.

Question proposed, "That '£33,500' stand part of the Resolution:"—After short debate, Question put:—The House *divided;* Ayes 137, Noes 71; Majority 66.

Moved, "That this House doth agree with the Committee in the said Resolution:"—*Moved,* "That the Debate be now adjourned,"—(*Mr. Fawcett*:)—After debate, Motion, by leave, *withdrawn*:—Resolution *agreed to.*

Moved, "That the Debate be now adjourned,"—(*Mr. O'Sullivan*:)—Motion *agreed to*:—Further Consideration of Postponed Resolutions *deferred* till *Monday* next.

Ways and Means—

Resolutions [February 24] *reported*, and *agreed to* 1000

Bill on the First Three Resolutions *ordered* (*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

Bill on the Fourth Resolution *ordered* (*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*); Bills *presented*, and read the first time.

Poor Law Guardians Elections (Ireland) Bill—*Ordered* (*Mr. Callan, Sir Colman O'Loghlen, Mr. Maurice Brooks, Mr. Downing*); *presented*, and read the first time [Bill 88] 1000

LORDS, MONDAY, FEBRUARY 28.

Chairman of Committees—

Ordered that the Viscount Eversley do take the chair in all Committees upon Private Bills in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by this House.

Malay Peninsula—Observations—Address for Papers—

Moved, That an humble Address be presented to Her Majesty for further Correspondence respecting the Malay Peninsula,—(*Lord Stanley of Alderley*) 1000

After short debate, on Question? *Resolved* in the *Negative*.

COMMONS, MONDAY, FEBRUARY 28.

Privilege—22 Geo. III. c. 45—The Messrs. Rothschild—Question, Mr. Biggar; Answer, Mr. Disraeli; Personal Statement, Sir Nathaniel Rothschild 1019

Railways—The Passenger Duty—Question, Lord Claud Hamilton; Answer, The Chancellor of the Exchequer 1020

Agricultural Holdings (Scotland)—Legislation—Question, Sir Alexander Gordon; Answer, The Lord Advocate 1020

Public Health (Ireland)—Vaccine Lymph—Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach 1021

Army—The Portsmouth Forts—Accommodation for Soldiers—Question, Mr. Alexander M'Arthur; Answer, Mr. Gathorne Hardy .. 102

Coal Mines—Use of Blasting Powder—Question, Mr. Macdonald; Answer, Mr. Assheton Cross 1022

Egypt—General Fadeieff—Question, Sir H. Drummond Wolff; Answer, Mr. Bourke 1022

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Criminal Law—The Convict Edward O'Meagher Condon—Questions, Mr. Parnell; Answers, Mr. Bourke, Mr. Assheton Cross .. 1025

Parliament—Postponement of Orders of the Day—Resolution—

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to the loss of H.M.S. "Vanguard,"—(*Mr. Disraeli*) .. 1026

Loss of H.M.S. "Vanguard"—Motion for a Paper—

Moved, "That there be laid before this House, a Copy of a further Minute relating to the loss of H.M.S. 'Vanguard,'"—(*Mr. Goschen*)

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House the opportunity should be afforded to the

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LOSS OF H.M.S. "VANGUARD"—MOTION FOR A PAPER—*continued.*

Admiral in Command, Vice Admiral Sir Walter Tarleton, K.C.B. of clearing his reputation by being tried by a Court Martial,"—(*Captain Pim,*)—instead thereof .. 1074

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Seely :*)—Motion, by leave, *withdrawn.*

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Amendment, by leave, *withdrawn :*—Main Question put, and *agreed to.*

Ordered, That there be laid before this House, a Copy of a further Minute relating to the loss of H.M.S. "Vanguard."

SUPPLY—REPORT—THE CIVIL SERVICE COMMISSION—APPOINTMENT OF LORD HAMPTON 1099

SUPPLY [18th February],—Postponed Resolutions [reported 23rd February] *further considered.*

Tenth Resolution again read, as followeth:—

(10.) "That a sum, not exceeding £22,893, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission."

Amendment proposed, to leave out "£22,893," and insert "£22,393,"—(*Mr. Mundella,*)—instead thereof.

After short debate, Question put, "That '£22,893' stand part of the Resolution:—The House *divided;* Ayes 159, Noes 126; Majority 33:—Resolution *agreed to.*

POST OFFICE TELEGRAPH SERVICES [LOAN]—COMMITTEE. RESOLUTION—

Considered in Committee 1103

Moved to Resolve—

"That it is expedient to authorise the Commissioners of Her Majesty's Treasury to raise further sums of money, not exceeding in the whole the sum of Five Hundred Thousand Pounds, for the purposes of the Telegraph Acts, by the creation of Three per cent. Capital Stocks of Annuities chargeable on the Consolidated Fund of the United Kingdom,"—(*Mr. W. H. Smith*) 1103

Motion *agreed to.*

Resolution to be reported *To-morrow.*

SUPPLY—Resolutions [25th February] *reported.*

First Thirteen Resolutions *agreed to.*

Fourteenth Resolution read a second time.

Moved, "That the further Consideration of the said Resolution be postponed,"—(*Mr. Monk.*)

Motion, by leave, *withdrawn :*—Resolution *agreed to.*

PARLIAMENTARY AND MUNICIPAL ELECTIONS—

Select Committee *appointed,* "to inquire into the working of the existing machinery of Parliamentary and Municipal Elections, with power to suggest amendments in the same,"—(*Sir Charles W. Dilke.*)

And, on March 8, Committee *nominated :*—List of the Committee .. 1104

Manchester Post Office Bill—

Bill read a second time, and *committed* to a Select Committee to consist of Five Members, Three to be nominated by the House, and Two to be nominated by the Committee of Selection:—List of the Committee 1104

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented one clear day before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions,—(*Mr. William Henry Smith.*)

EPPING FOREST BILL—

Bill read a second time, and *committed* to a Select Committee, to consist of Five Members, Three to be nominated by the House, and Two to be nominated by the Committee of Selection.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented one clear day before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—That the Committee have power to send for persons, papers, and records; Three to be the quorum.

And, on February 28, Committee *nominated*:—List of the Committee .. 1105

LORDS, TUESDAY, FEBRUARY 29.

CHURCHYARDS—THE BURIAL LAWS—

Petitions *presented* (*The Archbishop of Canterbury*) 1105
Petitions ordered to lie on the Table.

Crossed Cheques Bill (No. 12)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1106
Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the 9*th of March* next.

ARMY — KNIGHTSBRIDGE BARRACKS — Question, Observations, Lord Sandhurst; Reply, Earl Cadogan 1110

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COMMONS, TUESDAY, FEBRUARY 29.

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THE CHANNEL ISLANDS — ROYAL COURT OF JERSEY — Questions, Mr. Locke; Answers, Mr. Assheton Cross 1120
PUBLIC-HOUSES (IRELAND)—LEGISLATION—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach 1121
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LOCAL FINANCE — Question, Mr. Paget; Answer, The Chancellor of the Exchequer 1122
MERCHANT SHIPPING ACTS — OVERLOADING — Question, Mr. Anderson; Answer, Sir Charles Adderley 1123
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PUBLIC BUSINESS—ASH WEDNESDAY—

Moved, "That this House do meet To-morrow at two of the clock,"—(*Mr. Disraeli*) 1124
After short debate, Motion *agreed to*.

UNREFORMED MUNICIPAL CORPORATIONS (ENGLAND AND WALES) — RESOLUTION—

Moved, "That, in the opinion of this House, it would be desirable to forthwith abolish all criminal jurisdiction exercised by unreformed Municipal Corporations or their officers, with the exception of that of the City of London, for which due provision has been made by statute,"—(*Sir Charles W. Dilke*) 1126

After debate, Motion, by leave, *withdrawn*.

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County Palatine of Lancaster (Clerk of the Peace) Bill [Bill 53]
Bill *considered* in Committee 1160
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Valuation of Property (Metropolis) Act (1869) Amendment Bill [Bill 74]—
Moved, "That the Bill be now read a second time,"—(*Mr. J. G. Hubbard*) 1162
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day month," — (*Mr. Goldsmid.*)
Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Amendment, by leave, *withdrawn.*
[House counted out.]

COMMONS, WEDNESDAY, MARCH 1.

Municipal Franchise (Ireland) Bill [Bill 7]—
Moved, "That the Bill be now read a second time,"—(*Major O'Gorman*) 1164
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Charles Lewis.*)
After debate, Question put, "That the word 'now' stand part of the Question:" — The House *divided;* Ayes 148, Noes 176; Majority 28.
Words *added:*—Main Question, as amended, put, and *agreed to:*—Second Reading *put off* for six months.

Sea Insurances (Stamping of Policies) Bill [Bill 26]—
Moved, "That the Bill be now read a second time," — (*Mr. Serjeant Simon*) 1187
After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *To-morrow.*

Burgesses (Scotland) Bill [Bill 48]—
Moved, "That the Bill be now read a second time,"—(*Mr. M'Laren*) .. 1188
After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Friday.*

Offences against the Person Bill [Bill 1]—
Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair,"—(*Mr. Charley*) 1188
Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee," —(*Mr. P. A. Taylor,*)—instead thereof.
After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 108, Noes 82; Majority 26.
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to:*—Bill *considered* in Committee.
Committee report Progress; to sit again upon *Friday.*

Telegraphs (Money) Bill — Resolution [February 28] *reported* and *agreed to:*—Bill *ordered* (*Mr. Raikes, Lord John Manners, Mr. William Henry Smith*); *presented*, and read the first time [Bill 90] 1190

Intoxicating Liquors (Scotland) Bill—*Considered* in Committee:—Resolution *agreed to* and *reported:* — Bill *ordered* (*Sir Robert Anstruther, Mr. Dalrymple, Mr. Maitland, Mr. Edward Jenkins*); *presented*, and read the first time [Bill 91] 1190

Trade Union Act (1871) Amendment Bill—*Ordered* (*Mr. Mundella, Mr. Thomas Brassey, Mr. Jacob Bright, Mr. Morley*); *presented*, and read the first time [Bill 92] .. 1190

At Six of the clock, Mr. Speaker adjourned the House till *To-morrow*, without putting the Question.

LORDS, THURSDAY, MARCH 2.

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Ecclesiastical Offices and Fees Bill (No. 3)—

Moved, "That the Bill be now read 2ª,"—(*The Archbishop of Canterbury*) 1191

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *referred* to a Select Committee.

And, on March 7, Committee *nominated*:—List of the Committee .. 1200

Appeals—Standing Order—Resolution—

Moved to resolve, That no Appeal or Cause in Error shall be heard and determined unless there be present at such hearing and determination not less than three Lords holding, or who have held, some of the following high judicial offices; that is to say, the office of Lord Chancellor of Great Britain or Ireland, or of Judge of one of the Superior Courts of Law or Equity in England, or of Her Majesty's High Court of Justice or Court of Appeal in England, or of the Court of Session in Scotland, or of the Superior Courts of Law or Equity in Ireland,—(*The Lord Redesdale*) .. 1200

After short debate, on Question? *Resolved* in the *Affirmative*.

Ordered, That the said Resolution be declared a Standing Order, and that it be entered on the Roll of Standing Orders of this House.

COMMONS, THURSDAY, MARCH 2.

Churchyards—Owston Churchyard—Question, Mr. Watkin Williams; Answer, Mr. Assheton Cross 1202

Civil Service of India—Regulations—Question, Mr. Lyon Playfair; Answer, Lord George Hamilton 1202

Metropolis—Temple Bar—Question, Mr. Edwards; Answer, Mr. Assheton Cross 1203

Navy—Collision of the "Alberta" and the "Mistletoe"—Questions, Mr. T. E. Smith, Mr. Anderson; Answer, Mr. Hunt 1203

Elementary Education Act—Public Elementary Schools—Question, Mr. Heygate; Answer, Viscount Sandon 1204

Registration of Electors—Parochial Relief—Question, Mr. Richard; Answer, Mr. Assheton Cross 1205

Army—The Reserve—Question, Sir George Campbell; Answer, Mr. Gathorne Hardy 1206

Metropolis—Hyde Park—State of Rotten Row—Question, Mr. Pease; Answer, Lord Henry Lennox 1206

Navy—H.M.S. "Devastation"—Question, Captain Nolan; Answer, Mr. Hunt 1207

Post Office—The Telegraph Service—Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer 1207

The Suez Canal—Sir Daniel Lange—Question, Mr. Monk; Answer, Mr. Bourke 1207

Mercantile Marine—Blackwood's "Night Helm Indicator"—Question, Colonel Naghten; Answer, Mr. Hunt 1208

Owners of Land (Ireland)—Irish "Domesday" Book—Question, Mr. Stacpoole; Answer, Sir Michael Hicks-Beach; Observations, Mr. John Bright 1208

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Army Recruiting—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the inducements to enter the ranks of the Army ought to be increased,"—(*Captain Nolan*,)—instead thereof 1209

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.

SUPPLY—Order for Committee—*continued.*

ARMY—MILITARY SCANDAL AT HYTHE—Observations, Mr. Sandford .. 1219

ARMY — KNIGHTSBRIDGE BARRACKS — Observations, Mr. J. R. Yorke; Reply, Mr. Gathorne Hardy:—Short debate thereon 1221

ARMY — MILITIA QUARTERMASTERS — PENSIONS—Observations, Mr. W. Price; Reply, Mr. Stanley 1235

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—ARMY ESTIMATES.

(In the Committee.)

Motion made, and Question proposed, "That a number of Land Forces, not exceeding 132,884, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1876 to the 31st day of March 1877, inclusive" 1236

Motion made, and Question proposed, "That a number of Land Forces, not exceeding 122,884, &c.,"—(*Mr. Pease*) 1264

After debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Holms:*)—After further short debate, Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

Council of India (Professional Appointments) Bill [Bill 69]—

Moved, "That the Bill be now read a second time,"—(*Lord George Hamilton*) 1278

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to pass this Bill, as it would throw an additional and unnecessary charge on the Revenues of India,"—(*Mr. Fawcett,*)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 151, Noes 41; Majority 110.

Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* next.

MERCHANT SHIPPING [SALARIES, &C.]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair" 1282

Question put:—The House *divided;* Ayes 71, Noes 34; Majority 37.

Matter *considered* in Committee.

A Resolution *agreed to;* to be reported *To-morrow.*

Cattle Disease (Ireland) Bill—*Ordered* (*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland*); *presented,* and read the first time [Bill 94] 1282

Protection to Growing Crops (Scotland) Bill—*Ordered* (*Sir Alexander Gordon, Sir Robert Anstruther, Viscount Macduff, Sir Windham Anstruther*); *presented,* and read the first time [Bill 95] 1283

LORDS, FRIDAY, MARCH 3.

MALAY PENINSULA — Personal Explanation, Lord Stanley of Alderley; Reply, The Earl of Carnarvon 1283

Appellate Jurisdiction Bill (No. 5)—

Order of the Day for the House to be put into Committee, read .. 1286

Moved, "That the House do now resolve itself into Committee."

After short debate, Motion *agreed to:*—House in Committee accordingly.

Amendments made:—The Report thereof to be received on *Friday* next; and Bill to be *printed,* as amended. (No. 23.)

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Irish Church Temporalities Commissioners—Church Lands—Question, Mr. Fay; Answer, Sir Michael Hicks-Beach 1292

Sale of Food and Drugs Act—Public Analysts—Question, Mr. Watkin Williams; Answer, Mr. Sclater-Booth 1293

National Teachers (Ireland) Act, 1875 — Contributory Unions — Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach .. 1294

Irish Land Act—Notices to Quit— Question, Mr. Butt; Answer, The Chancellor of the Exchequer 1294

Army—Knightsbridge Barracks—Question, Mr. J. R. Yorke; Answer, Mr. Gathorne Hardy 1294

Cruelty to Animals—Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach 1295

Army Estimates—The Increased Pay of the Soldiers — Question, Mr. Shaw Lefevre; Answer, Mr. Gathorne Hardy 1295

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Burial Services in Parish Churchyards—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the parish churchyards of England and Wales having been by the common law of England appropriated to the use of the entire body of the parishioners, it is just and right, while making proper provision for the maintenance of order and decency, to permit interments in such churchyards either without any burial services or with burial services other than those of the Church of England, and performed by persons other than the Ministers of that Church,"—(*Mr. Osborne Morgan,*)—instead thereof 1296

Question proposed, "That the words proposed to be left out stand part of the Question:" — After long debate, Question put:—The House *divided;* Ayes 279, Noes 248; Majority 31.

Division List, Ayes and Noes 1397

Main Question proposed, "That Mr. Speaker do now leave the Chair:" —Motion, by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Exchequer Bonds (£4,080,000) Bill [Bill 89]—

Bill *considered* in Committee 1399

After short time spent therein, Bill *reported,* without Amendment; to be read the third time on *Monday* next, at half past Four of the clock.

Depreciation of Silver—

Select Committee *appointed,* "to consider and report upon the causes of the depreciation of the price of silver, and the effects of such depreciation upon the exchange between India and England,"—(*Lord George Hamilton.*)

And, on March 9, Committee *nominated:*—List of the Committee .. 1403

Petition of Mr. Charles Henwood—Resolution—

Moved, "That the Petition of Mr. Charles Henwood, presented upon the 16th day of February last,* be printed and distributed with the Votes,"—(*Colonel Beresford*) .. 1404

[* Henwood, Charles,—Petition of Charles Henwood, for inquiry into his case to lie upon the Table.]

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Order that the Petition of Mr. Charles Henwood do lie upon the Table be read, and discharged,"—(*Mr. Hunt,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After short debate, Notice taken, that Strangers were present:—

Whereupon Mr. Speaker read the Resolution on the subject which was adopted by the House last Session, and stated that unless otherwise directed by the House he should abide by that Resolution. He accordingly, without further debate, put the Question, "That Strangers be ordered to withdraw:"—The House *divided;* Ayes 6, Noes 16.

Forty Members not being present— [House was adjourned.]

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Firman on Reforms—The Sublime Porte—The Andrassy Note—Address for Papers—

Moved that an humble Address be presented to Her Majesty for, Copies of the firman on reforms which has lately come from the Sublime Porte, and of the Austrian note by which it has been followed,—(*The Lord Campbell*) 1405

After short debate, Motion *agreed to.*

COMMONS, MONDAY, MARCH 6.

Post Office—Telegraph Messages—Question, Mr. Mitchell Henry; Answer, Lord John Manners 1413

Navy—Coal—Question, Mr. Hussey-Vivian; Answer, Mr. Hunt .. 1413

Merchant Shipping Acts—Cases of Scurvy—Question, Mr. Ward; Answer, Sir Charles Adderley 1414

Elementary Education Act—Wrentham—Question, Mr. Colman; Answer, Viscount Sandon 1414

Elementary Education Act—Poor Law Relief—Question, Mr. Alderman W. M'Arthur; Answer, Mr. Sclater-Booth 1417

The National Bank of Egypt—Question, Mr. W. Cartwright; Answer, Mr. Disraeli 1417

The Scotch Fisheries—Question, Mr. J. W. Barclay; Answer, Mr. Hunt 1418

Sunday Drinking (Ireland)—Return—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach 1418

Returns as to the Court of Session—Question, Mr. Grieve; Answer, The Lord Advocate 1419

Merchant Shipping Act—Unseaworthy Ships—Foreign Nations—Question, Mr. Wilson; Answer, Sir Charles Adderley 1419

Parliament—Petition of Mr. Charles Henwood—Exclusion of Strangers—Observations, Mr. Speaker 1420

Exchequer Bonds (£4,080,000) Bill [Bill 89]—

Moved, "That the Bill be now read the third time,"—(*Mr. Chancellor of the Exchequer*) 1420

After debate, Question put, and *agreed to*:—Bill read the third time, and *passed.*

Consolidated Fund (£4,080,000) Bill—

Moved, "That the Bill be now read the third time,"—(*Mr. Chancellor of the Exchequer*) 1437

After short debate, Question put, and *agreed to*:—Bill read the third time, and *passed.*

Supply—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Army Estimates—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the interests of the Nation do not demand an increased expenditure on the Land Forces,"—(*Sir Wilfrid Lawson*,)—instead thereof 1439

After debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 192, Noes 63; Majority 129.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Army Estimates—

(In the Committee.)

(1.) Motion made, and Question proposed, "That a number of Land Forces, not exceeding 132,884, be maintained for the Service of the United Kingdom of

SUPPLY—ARMY ESTIMATES—Committee—*continued.*

Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1876 to the 31st day of March 1877, inclusive" 1456

Whereupon Motion made, and Question proposed, "That a number of Land Forces, not exceeding 122,884, &c.,—(*Mr. Pease* :)—After long debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £4,722,200, Pay and Allowances, &c. of Land Forces.—After short debate, Vote *agreed to* 1486

(3.) £49,200, Divine Service.

(4.) £27,900, Administration of Military Law.

(5.) £262,400, Medical Establishments.—After short debate Vote *agreed to* .. 1488

Motion made, and Question proposed, "That a sum, not exceeding £672,700, be granted to Her Majesty, to defray the Charge for Militia Pay and Allowances, which will come in course of payment from the 1st day of April 1876 to the 31st day of March 1877, inclusive."—After short debate, Motion *agreed to* .. 1488

Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again upon *Wednesday.*

Telegraphs (Money) Bill [Bill 90]—

Moved, "That the Bill be now read a second time,"—(*Lord John Manners*) 1488

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Thursday.*

Drugging of Animals Bill [Bill 85]—

Moved, "That the Bill be now read a second time,"—(*Sir John Astley*) .. 1490

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Wednesday.*

PRIVATE BILLS—CANVASSING IN THE HOUSE—RESOLUTION—

Moved, "That the solicitation of Members of this House to oppose or support Private Bills on Second Reading by Members connected in any way with interests concerned in that opposition or support, has a tendency to restore the evils which this House sought to redress by the present system of Private Bill Committees chosen by a Committee of Selection,"—(*Sir Edward Watkin*) 1491

After short debate, Motion, by leave, *withdrawn.*

REFEREES ON PRIVATE BILLS—NOMINATION OF SELECT COMMITTEE—

Moved, "That the Select Committee on Referees on Private Bills do consist of Twenty-one Members,"—(*Mr. Anderson*) 1495

Amendment proposed, to leave out the words "Twenty-one," in order to insert the words "Twenty-three,"—(*Mr. Sullivan,*)—instead thereof.

After short debate, Question put, "That the words 'Twenty-one' stand part of the Question :"—The House *divided;* Ayes 73, Noes 21; Majority 52.

Moved, "That Mr. Spencer Walpole be a Member of the said Committee :" —Question put :—The House *divided;* Ayes 79, Noes 11; Majority 68.

Moved, "That Mr. Dodson be one other Member of the said Committee :" —Question put :—The House *divided;* Ayes 77, Noes 11; Majority 66.

Moved, "That Mr. Mowbray be one other Member of the said Committee :" —After short debate, *Moved,* "That the Debate be now adjourned,"— (*Captain Nolan* :)—Question put :—The House *divided;* Ayes 17, Noes 68; Majority 51.

Question put, "That Mr. Mowbray be one other Member of the said Committee :"—The House *divided;* Ayes 76, Noes 10; Majority 66.

Moved, "That Mr. Sclater-Booth be one other Member of the said Committee :"—Question put :—The House *divided;* Ayes 74, Noes 9; Majority 65.

Sir Edward Colebrooke nominated one other Member of the said Committee.

REFEREES ON PRIVATE BILLS—NOMINATION OF SELECT COMMITTEE—*continued.*

Moved, "That Mr. Pemberton be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 74, Noes 9; Majority 65.

Moved, "That Mr. Whitbread be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 74, Noes 9; Majority 65.

Moved, "That Mr. Basil Woodd be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 74, Noes 9; Majority 65.

Moved, "That Sir John St. Aubyn be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 74, Noes 8; Majority 66.

Mr. Kavanagh and The O'Conor Don nominated other Members of the said Committee.

Moved, "That Mr. Heygate be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 71, Noes 7; Majority 64.

Sir Francis Goldsmid nominated one other Member of the said Committee.

Moved, "That Mr. Mills be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 75, Noes 3; Majority 72.

Mr. Dillwyn nominated one other Member of the said Committee.

Moved, "That Mr. Rodwell be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 74, Noes 3; Majority 71.

Moved, "That Mr. Monk be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 74, Noes 3; Majority 71.

Moved, "That Mr. Staveley Hill be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 75, Noes 3; Majority 72.

Moved, "That Mr. Muntz be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 75, Noes 3; Majority 72.

Moved, "That Mr. John Talbot be one other Member of the said Committee:"—Question put:—The House *divided;* Ayes 74, Noes 3; Majority 71.

Mr. Anderson nominated one other Member of the said Committee.

Power to send for persons, papers, and records; Five to be the quorum.

OYSTER FISHERIES—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to inquire what are the reasons for the present scarcity of Oysters, and what has been the effect of the measures relating to Oyster Fisheries adopted by Parliament subsequently to the Report of the Royal Commission on Sea Fisheries in 1866,"—(*Sir Charles Legard*) 1498

Amendment proposed, at the end of the Question to add the words "and to report what further legislative measures may, in the opinion of the Committee, be desirable,"—(*Mr. Cawley.*)

Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Select Committee *appointed,* "to inquire what are the reasons for the present scarcity of Oysters, and what has been the effect of the measures relating to Oyster Fisheries adopted by Parliament subsequently to the Report of the Royal Commission on Sea Fisheries in 1866, and to report what further legislative measures may, in the opinion of the Committee, be desirable."

And, on March 9, Committee *nominated:*—List of the Committee .. 1499

LORDS, TUESDAY, MARCH 7.

EXCHEQUER BONDS (£4,080,000) BILL — Personal Explanation, Earl Granville; Reply, The Earl of Derby 1499

RECEPTION OF FUGITIVE SLAVES—THE CIRCULARS—INSTRUCTIONS—Petition presented (*Viscount Cardwell*) 1506

After debate, Petition *ordered* to lie on the Table.

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MERCHANT SHIPPING ACTS—BOARD OF TRADE SURVEYS—THE "MOUNT ROYAL"—Question, Dr. Cameron; Answer, Sir Charles Adderley .. 1566

SOUTH KENSINGTON MUSEUM—ART LIBRARY—Question, Mr. Mundella; Answer, Lord Henry Lennox 1567

ARMY—ARTILLERY OFFICERS (INDIA)—Question, Mr. W. Holms; Answer, Lord George Hamilton 1567

PREVENTION OF FLOODS IN THE THAMES—LEGISLATION — Question, Mr. Locke; Answer, Sir James Hogg 1568

INLAND REVENUE — GROCERS' WINE AND SPIRIT LICENCES—Question, Mr. Bolckow; Answer, Mr. Assheton Cross 1568

THE ROYAL TITLES BILL—Question, Mr. Samuelson; Answer, Mr. Disraeli 1568

CUSTOMS—THE WINE DUTIES—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to inquire into the present system of levying the Customs Duties on Wine,"—(*Mr. William Cartwright*) .. 1569

After short debate, Question put, and *negatived.*

TRALEE SAVINGS BANK—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to inquire into the case of the depositors in the late Tralee Savings Bank,"—(*The O'Donoghue*) 1582

After short debate, Question put:—The House *divided;* Ayes 54, Noes 133; Majority 79.

RAILWAY PASSENGER DUTY—RESOLUTION—

Moved, "That, in the opinion of this House, the Railway Passenger Duty ought to be reduced at an early date, with a view to its ultimate repeal,"—(*Mr. Serjeant Spinks*) 1586

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of cheap trains," — (*Mr. Rodwell,*) — instead thereof.

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed,

"That the words 'a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of cheap trains,' be added, instead thereof."

Amendment proposed to the said proposed Amendment, to add, at the end thereof, the words

"and further to inquire what additional accommodation for the public may fairly be demanded from the Railway Companies as an equivalent for a reduction or the abolition of the Duty,"—(*Mr. Fawcett.*)

Question put, "That those words be added at the end of the proposed Amendment:"—The House *divided;* Ayes 41, Noes 113; Majority 72.

Question put,

"That the words 'a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effects upon the working of cheap trains,' be added to the word 'That' in the Original Question."

The House *divided;* Ayes 137, Noes 23; Majority 144.

Main Question, as amended, put.

Ordered, That a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of cheap trains.

And, on March 23, Committee *nominated:*—List of the Committee .. 1602

[*March* 7.] Page

Municipal Officers Superannuation Bill [Bill 2]—

Order for Committee read :—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Rathbone*) 1603

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Fielden,*) —instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question :"—The House *divided ;* Ayes 68, Noes 88; Majority 20.

Words *added :*—Main Question, as amended, put, and *agreed to :*—Committee *put off* for six months.

Sheriff Courts (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*) 1605

COMMONS, WEDNESDAY, MARCH 8.

Game Laws (Scotland) Bill [Bill 3]—

Moved, "That the Bill be now read a second time,"—(*Mr. M'Lagan*) .. 1606

After debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Lord Elcho*) 1644

After further debate, Question put, "That the word 'now' stand part of the Question :"—The House *divided ;* Ayes 172, Noes 150; Majority 22.

Main Question put, and *agreed to :*—Bill read a second time, and *committed* for *To-morrow.*

Homicide Law Amendment Bill [Bill 75]—

Moved, "That the Bill be now read a second time,"—(*Sir Eardley Wilmot*) 1657

After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Wheelhouse :*)—Motion *agreed to :*—Debate *adjourned* till *Wednesday* next.

East India (Chief Justices of High Courts) Bill—*Ordered* (*Sir George Campbell, Sir George Balfour, Mr. Kinnaird*) ; *presented,* and read the first time [Bill 98] .. 1660

Drainage and Improvement of Lands (Ireland) Provisional Orders (No 2) Bill—*Ordered* (*Mr. William Henry Smith, Mr. Solicitor General for Ireland*) ; *presented,* and read the first time [Bill 99] 1660

LORDS, THURSDAY, MARCH 9.

RECEPTION OF FUGITIVE SLAVES — THE CIRCULARS — PETITION — Personal Explanation, The Lord Chancellor 1660

University of Oxford Bill (No. 16)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Salisbury*) .. 1661

Amendment *moved,* to leave out from ("That") to the end of the Motion; and to insert ("this House regrets that any legislation should be undertaken in reference to either University, except after a more extended and comprehensive inquiry than fell within the scope of the recent Royal Commission,")—(*The Lord Colchester.*)

After long debate, on Question, That the words proposed to be left out stand part of the Motion ? *Resolved* in the *Affirmative.*

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday,* the 30*th instant.*

COMMONS, THURSDAY, MARCH 9.

South Eastern Railway Bill (*by Order*)—

Moved, "That the Bill be now read a second time,"—(*Mr. Fielden*) .. 1703

After short debate, Debate *adjourned* till *Thursday* next.

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EAST INDIA ARMY — SUPERANNUATION, &c. ALLOWANCES—Question, Sir George Campbell; Answer, Lord George Hamilton 1706
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NAVY—THE ROYAL MARINES—INCREASE OF PAY—Question, Mr. Shaw Lefevre; Answer, Mr. Hunt 1717
ARMY—MODEL CAVALRY BARRACK—Question, Mr. J. R. Yorke; Answer, Mr. Gathorne Hardy 1717
CRIMINAL LAW—THE FENIAN PRISONERS—Question, Mr. M. Brooks; Answer, Mr. Disraeli 1718
PARLIAMENT—BUSINESS OF THE HOUSE—NOTICES OF MOTION—Question, Mr. Ritchie; Answer, Mr. Speaker 1718

Royal Titles Bill [Bill 83]—
Moved, "That the Bill be now read a second time,"—(*Mr. Disraeli*) .. 1719
Moved, "That the Debate be now adjourned,"—(*Mr. Samuelson:*)—After long debate, Question put:—The House *divided;* Ayes 31, Noes 284; Majority 253.
Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Thursday* next.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—
ARMY—KNIGHTSBRIDGE BARRACKS—RESOLUTION—
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "this House ought not to be asked to vote the first instalment of £100,000

Supply—Order for Committee read—*continued.*

for the proposed reconstruction of Knightsbridge Barracks without the plans prepared by Mr. Wyatt being first produced, and sufficient time being allowed for their consideration by Members,"—(*Mr. Reginald Yorke,*)—instead thereof .. 1760

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 195, Noes 46; Majority 149.

Army—Accommodation in Barracks—Observations, Mr. A. M'Arthur; Reply, Lord Eustace Cecil 1766

Army—Militia Adjutants—Observations, Viscount Emlyn; Reply, Mr. Stanley:—Short debate thereon 1767

Army—Pay of Soldiers and Marines — Observations, Sir Henry Havelock; Reply, Mr. Gathorne Hardy 1771

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Army Estimates—

(In the Committee.)

(1.) £672,700, Militia Pay and Allowances.—After short debate, Vote *agreed to* .. 1775

(2.) £74,400, Yeomanry Cavalry Pay and Allowances.—After short debate, Vote *agreed to* 1776

(3.) £458,000, Volunteer Corps Pay and Allowances. — After short debate, Vote *agreed to* 1777

(4.) £132,000, Army Reserve Force.—After short debate, Vote *agreed to* .. 1777

Cattle Disease (Ireland) Bill [Bill 94]—

Moved, "That the Bill be now read a second time," — (*Sir Michael Hicks-Beach*) 1778

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *To-morrow.*

County Palatine of Lancaster (Clerk of the Peace) Bill—

Bill, as amended, *considered* 1778

After short debate, Bill to be read the third time *To-morrow.*

Burgesses (Scotland) Bill [Bill 48]—

Bill *considered* in Committee 1779

Moved to report Progress,—(*Mr. J. Holms:*)—After short debate, Motion *agreed to:*—Committee report Progress; to sit again upon *Monday* next.

Mutiny Bill—*Ordered* (*Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate*); *presented,* and read the first time 1780

LORDS, FRIDAY, MARCH 10.

The Mercantile Marine—Training Ships—Observations, The Earl of Shaftesbury; Reply, The Duke of Richmond and Gordon:—Debate thereon 1780

Army — Church Attendance of Soldiers—Payment for Sittings—Question, Observations, The Earl of Belmore; Reply, Earl Cadogan .. 1793

COMMONS, FRIDAY, MARCH 10.

Army—Recruiting—Question, Mr. Wilson; Answer, Mr. Gathorne Hardy 1795

Agricultural Holdings (England) Act — The Duchy of Lancaster—Question, Dr. Cameron; Answer, Colonel Taylor 1796

Mines Act — Use of Blasting Powder—Legislation—Question, Mr. Macdonald; Answer, Mr. Assheton Cross 1797

Papers Relating to China — Question, Mr. Leatham; Answer, Mr. Bourke 1798

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NAVY—CIRCULAR SHIPS—Question, Mr. Hanbury-Tracy; Answer, Mr. Hunt 1798

UNITED STATES—GENERAL SCHENCK—Question, Mr. Anderson; Answer, Mr. Bourke 1798

LANDED PROPRIETORS (IRELAND)—Question, Mr. John Bright; Answer, Sir Michael Hicks-Beach 1798

ARMY MEDICAL OFFICERS—Question, Mr. Lyon Playfair; Answer, Mr. Gathorne Hardy 1799

LAW AND JUSTICE—UNION OF LEGAL OFFICES (IRELAND)—Question, Mr. Charles Lewis; Answer, Sir Michael Hicks-Beach 1800

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE EDUCATION CODE—CHOICE OF SUBJECTS—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "while reading, writing, and arithmetic should be obligatory in all Elementary Schools, it is desirable that the choice of other subjects should, as heretofore, be left to the School Board or Committee of Management,"—(*Sir John Lubbock*,)—instead thereof 1800

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

MERCANTILE MARINE—PENSIONS TO SEAMEN—Observations, Mr. T. Brassey; Reply, Sir Charles Adderley:—Debate thereon .. 1812

LEGAL DEPARTMENTS COMMISSION, 1874—THE REPORT—Question, Observations, Lord Frederick Cavendish; Reply, Mr. W. H. Smith .. 1837

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES——CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £6,992, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses" 1839

Motion made, and Question proposed, "That a sum, not exceeding £5,430, be granted, &c.,"—(*Mr. J. Cowen*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £27,530, Chief Secretary for Ireland Offices.—After short debate, Vote *agreed to* 1843

(3.) £460, Boundary Survey, Ireland.

(4.) £2,058, Charitable Donations and Bequests Office, Ireland.

(5.) £6,050, Public Record Office, Ireland.

(6.) Motion made, and Question proposed, "That a sum, not exceeding £28,675, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of Public Works in Ireland" 1843

Motion made, and Question proposed, "That a sum, not exceeding £27,836, be granted, &c.,"—(*Mr. Sullivan*:)—After short debate, Question put:—The Committee *divided;* Ayes 78, Noes 123; Majority 45.

Original Question again proposed.

Motion made, and Question proposed, "That a sum, not exceeding £28,175, be granted, &c.,"—(*Mr. Muntz*:)—Question put:—The Committee *divided;* Ayes 81, Noes 123; Majority 42.

Original Question put, and *agreed to.*

(7.) £18,237, Registrar General's Office, &c. Ireland.

(8.) £21,550, General Survey and Valuation, Ireland.

(9.) £78,000, Pauper Lunatics, Ireland.—After short debate, Vote *agreed to* .. 1846

CLASS III.—LAW AND JUSTICE.

(10.) £57,061, Law Charges, England.

(11.) £179,848, Criminal Prosecutions, &c. England.—After short debate, Vote *agreed to* 1847

Resolutions to be reported.

Supply—Civil Service Estimates—Committee—*continued.*

Motion made, and Question proposed, "That a sum, not exceeding £173,025, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature, as are not charged on the Consolidated Fund" 1847

Motion made, and Question proposed, "That a sum, not exceeding £171,325, be granted, &c.,"—(*Mr. Waddy*:)—After short debate, Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

Motion made, and Question proposed, "That a sum, not exceeding £61,586, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for such Salaries and Expenses of the Queen's Bench, Common Pleas, and Exchequer Divisions of the High Court of Justice, as are not charged on the Consolidated Fund" .. 1850

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Rylands*:)—Question put, and *agreed to.*

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Municipal Corporations, &c. (Funds) Bill—*Ordered* (*Sir Sydney Waterlow, Mr. Mundella, Mr. Morley, Mr. Leeman, Mr. Dixon*); *presented*, and read the first time [Bill 101] 1850

Local Government Provisional Orders Bill—*Ordered* (*Mr. Salt, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 102] 1850

Irish Church Act (1869) Amendment Bill—*Ordered* (*Mr. Parnell, Mr. Fay*); *presented*, and read the first time [Bill 103] 1851

LORDS, MONDAY, MARCH 13.

Heligoland—Address for Papers—

Moved, That an humble Address be presented to Her Majesty for, Copies of (1) the capitulation of September 1807 by which Heligoland was ceded to Great Britain; (2) the Order in Council of 7th January 1864 relating to the government of Heligoland; and (3) Papers explaining the revocation of that Order in 1868,—(*The Earl of Rosebery*) 1851

After short debate, Motion amended, and *agreed to.*

Resolved that an humble Address be presented to Her Majesty for Copies of the Order in Council of 7th January, 1864, relating to the Government of Heligoland, and Papers explaining the revocation of that Order in 1868.

Iron-Clads—Motion for Returns—

Moved that there be laid before this House, Return of the draught of water of each first-class ironclad, noting in each case whether such ship could or could not pass through the Suez Canal when complete in coal, provisions, stores, and armament,—(*The Lord Dunsany*) 1855

After short debate, on Question? *Resolved* in the *Negative.*

COMMONS, MONDAY, MARCH 13.

Army Veterinary Surgeons—Question, Mr. Stacpoole; Answer, Mr. Gathorne Hardy 1864

Game Laws (Scotland) Bill — Legislation — Question, Mr. Kinnaird; Answer, Mr. Assheton Cross 1864

The Royal Naval College, Greenwich — Examinations—Question, Mr. Kavanagh; Answer, Mr. Hunt 1864

Navy—Screw Propellers—Question, Captain Pim; Answer, Mr. Hunt .. 1865

Intemperance (Ireland)—Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach 1865

Post Office—Savings Bank Department—Site—Question, Mr. Redmond; Answer, Lord John Manners 1866

Criminal Law—Buxton Reformatory—Question, Mr. Burt; Answer, Mr. Assheton Cross 1866

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Metropolis—The Victoria Embankment—Question, Colonel Beresford; Answer, Sir James Hogg 1867

Royal Style and Titles—The Native Princes of India—Question, Mr. Ernest Noel; Answer, Mr. Disraeli 1867

Post Office—The Mails to the Hebrides—Question, Mr. Fraser-Mackintosh; Answer, Lord John Manners 1868

Mercantile Marine—Wreck of the "Royal Adelaide"—Question, Captain Digby; Answer, Sir Charles Adderley 1868

India—Uncovenanted Civil Service—Question, Mr. Dalrymple; Answer, Lord George Hamilton 1869

Navy—H.M.S. "Vanguard"—Papers—Question, Captain Pim; Answer, Mr. Hunt 1869

Egyptian Finance—Mr. Cave's Report—Question, Mr. J. W. Barclay; Answer, Mr. Disraeli 1870

Army—Home District Command—Question, Mr. Anderson; Answer, Mr. Gathorne Hardy 1870

Equity Courts (Ireland)—Lord Justice Christian—Question, Mr. Callan; Answer, Mr. Disraeli 1871

The Mutiny Bill—Question, Mr. P. A. Taylor; Answer, Mr. Gathorne Hardy 1873

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The Admiralty—Civilian First Lords—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the practice of placing at the head of the Admiralty civilians, who from their antecedents cannot be conversant with the business of that Department, is detrimental to the interests of the service,"—(*Mr. Bentinck*,)—instead thereof 1873

After long debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 261, Noes 18; Majority 243.

British and Foreign Iron-Clad Navies—Observations, Mr. E. J. Reed; Reply, Mr. Hunt:—Debate thereon 1891

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—Navy Estimates—

(In the Committee.)

60,000 Men and Boys, including 14,000 Royal Marines 1918

After long debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Rylands:*)—Question put:—The Committee *divided;* Ayes 63, Noes 105; Majority 42.

Moved, "That the Chairman do now leave the Chair,"—(*Captain Nolan:*)—After short debate, Question put:—The Committee *divided;* Ayes 62, Noes 104; Majority 42: Vote *agreed to.*

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Dillwyn:*)—Question put, and *agreed to.*

Resolution to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

Halifax (Vicar's Rate)—

Ordered, That a Select Committee of Five Members, to be nominated by the Committee of Selection, be appointed to inquire into the operation of the Act 10 Geo. 4, c. 14, relating to the Vicar's Rate at Halifax, and to report their opinion to the House whether any and what amendments should be made in the said Act.—(*Sir Henry Selwin-Ibbetson*) 1943

Manchester Post Office [Expenses]—

Considered in Committee 1943

A Resolution *agreed to;* to be reported *To-morrow.*

Coroners (Dublin) Bill—*Ordered* (*Mr. Sullivan, Sir Arthur Guinness, Mr. Maurice Brooks, Mr. Patrick Martin*); *presented*, and read the first time [Bill 104] .. 1943

Poolbeg Lighthouse Bill—*Ordered* (*Mr. Edward Stanhope, Sir Charles Adderley*); *presented*, and read the first time [Bill 105] 1943

LORDS, TUESDAY, MARCH 14.

Patents for Inventions Bill (No. 15)—

Moved, "That the Bill be now read 2^a,"—(*The Lord Chancellor*) .. 1944
After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

Appellate Jurisdiction Bill (No. 23)—

Bill read 3^a (according to Order) 1946
Amendments made:—Bill *passed*, and sent to the Commons.

INDIA—THE INDIAN TARIFF—Observations, Viscount Halifax; Reply, The Marquess of Salisbury:—Debate thereon 1946
VIVISECTION—LEGISLATION—Observations, Question, Lord Henniker; Reply, The Duke of Richmond and Gordon 2008

COMMONS, TUESDAY, MARCH 14.

PARLIAMENT—EAST SUFFOLK ELECTION—Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross 2009
BOROUGH BOUNDARIES—Question, Sir Sydney Waterlow; Answer, Mr. Assheton Cross 2010
THE SUEZ CANAL—Question, Sir H. Drummond Wolff; Answer, The Chancellor of the Exchequer 2011
CRIMINAL LAW—WIFE DESERTION—CASE OF GEORGE WARRINGTON—Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross .. 2011
BANKRUPTCY JURISDICTION (IRELAND)—Question, Mr. Charles Lewis; Answer, Sir Michael Hicks-Beach 2012
PEACE PRESERVATION (IRELAND) ACT—PROCLAIMED DISTRICTS—Question, Sir Joseph M'Kenna; Answer, Sir Michael Hicks-Beach .. 2012
THE BANKRUPTCY LAWS—LEGISLATION—Question, Mr. Bell; Answer, The Attorney General 2013
THE ROYAL STYLE AND TITLE—Question, Sir William Harcourt; Answer, Mr. Disraeli 2013
JAPAN AND COREA—CHINA—Question, Sir Charles W. Dilke; Answer, Mr. Bourke 2014
ARMY—GARRISON OF DUBLIN—TYPHOID FEVER—Question, Mr. Clive; Answer; Lord Eustace Cecil 2015
IRISH ANTE-UNION STATUTES—Question, Mr. Law; Answer, The Solicitor General for Ireland 2015
EQUITY COURTS (IRELAND)—LORD JUSTICE CHRISTIAN—Personal Explanation, Mr. Law; Reply, Mr. Disraeli 2015

CONTAGIOUS DISEASES (ANIMALS)—RESOLUTION—

Moved, "That, in the opinion of this House, the general orders and regulations for the stoppage of Contagious Diseases among Stock should cease to be varying or permissive, and should be uniform throughout Great Britain and Ireland,"—(*Mr. Clare Read*) 2017

Amendment proposed,

To add, at the end of the Question, the words "and that it is further desirable that the recommendations of the Select Committee of 1873, in relation to foot and mouth disease, should be carried into effect,"—(*Mr. O'Conor.*)

Question proposed, "That those words be there added:"—After long debate, Amendment and Motion, by leave, *withdrawn.*

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SAINT VINCENT (TREATMENT OF COOLIES)—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies or Extracts of any Correspondence which may have passed from the 1st day of August 1875 to the present date, between the Governor of the Windward Islands, the Lieutenant Governor of Saint Vincent, and the Colonial Office, relative to alleged abuses in treatment of Coolies in Saint Vincent,"—(*Mr. Errington*) .. 2073

After short debate, Question put, and *agreed to.*

Ecclesiastical Assessments (Scotland) Bill—

Motion for Leave—(*The Lord Advocate*) 2076

Motion *agreed to*:—Bill to amend the Law in regard to Ecclesiastical Assessments in Scotland, *ordered* (*The Lord Advocate, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*); *presented*, and read the first time. [Bill 106.]

Marine Mutiny Bill—*Ordered* (*Mr. Raikes, Mr. Hunt, Mr. Algernon Egerton*) .. 2078

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

LORDS.

SAT FIRST.

TUESDAY, FEBRUARY 8, 1876.

The Lord Dorchester, after the Death of his Cousin.

FRIDAY, FEBRUARY 11.

The Lord Westbury, after the Death of his Grandfather.

THURSDAY, FEBRUARY 17.

Earl Stanhope, after the Death of his Father.

NEW PEERS.

TUESDAY, FEBRUARY 8, 1876.

John Ralph Ormsby-Gore, Esquire, having been created Baron Harlech of Harlech in the County of Merioneth—Was (in the usual manner) introduced.

John Tollemache, Esquire, having been created Baron Tollemache of Helmingham Hall in the County of Suffolk—Was (in the usual manner) introduced.

Sir Robert Tolver Gerard, Baronet, having been created Baron Gerard of Bryn in the County Palatine of Lancaster—Was (in the usual manner) introduced.

THURSDAY, FEBRUARY 10.

William Earl of Abergavenny, having been created Earl of Lewes in the County of Sussex and Marquess of Abergavenny in the County of Monmouth—Was (in the usual manner) introduced.

Edward Montagu Stuart Granville, Baron Wharncliffe, having been created Viscount Carlton of Carlton and Earl of Wharncliffe, both in the West Riding of the County of York—Was (in the usual manner) introduced.

THURSDAY, FEBRUARY 17.

Henry Gerard Sturt, Esquire, having been created Baron Alington of Crichel in the County of Dorset—Was (in the usual manner) introduced.

COMMONS.

NEW WRITS ISSUED.

DURING RECESS—

For *Suffolk* (Western Division), *v.* Fuller Maitland Wilson, esquire, deceased.
For *Lancaster County* (South Western Division), *v.* Charles Turner, esquire, deceased.
For *Surrey* (Middle Division), *v.* Sir Richard Baggallay, knight, Judge of Her Majesty's Court of Appeal.
For *Whitehaven*, *v.* George Augustus Frederick Cavendish Bentinck, esquire, Judge Advocate General.
For *Aberdeen County* (Eastern Division), *v.* William Dingwall Fordyce, esquire, deceased.
For *Horsham*, *v.* Right honble. Sir William Seymour Vesey Fitzgerald, Chief Charity Commissioner for England and Wales.
For *Ipswich*, *v.* John Patteson Cobbold, esquire, deceased.
For *Wilts* (Southern Division), *v.* Lord Henry Frederick Thynne, Treasurer of Her Majesty's Household.
For *Salop* (Northern Division), *v.* John Ralph Ormsby Gore, esquire, now Baron Harlech.
For *Dorset*, *v.* Henry Gerard Sturt, esquire, now Baron Alington.
For *Burnley*, *v.* Richard Shaw, esquire, deceased.
For *Suffolk* (Eastern Division), *v.* Viscount Mahon, now Earl Stanhope.
For *Armagh Borough*, *v.* John Vance, esquire, deceased.

TUESDAY, FEBRUARY 8, 1876.

For *Berkshire*, *v.* Richard Benyon, esquire, Manor of Northstead.
For *Leominster*, *v.* Richard Arkwright, esquire, Chiltern Hundreds.
For *Manchester*, *v.* William Romaine Callender, esquire, deceased.

WEDNESDAY, FEBRUARY 9.

For *Huntingdon Borough*, *v.* Sir John Burgess Karslake, knight, Manor of Northstead.
For *Enniskillen Borough*, *v.* Viscount Crichton, Commissioner of the Treasury.

MONDAY, FEBRUARY 14.

For *East Retford*, *v.* Viscount Galway, deceased.

MONDAY, FEBRUARY 21.

For *Horsham*, *v.* Robert Henry Hurst, Esquire, void Election.

NEW MEMBERS SWORN.

TUESDAY, FEBRUARY 8, 1876.

Lancaster County (South Western Division)—John Ireland Blackburne, esquire.
Suffolk (Western Division)—Thomas Thornhill, esquire.
Blackburn—Daniel Thwaites, esquire.
Wilts (Southern Division)—Lord Henry Frederick Thynne.
Horsham—Robert Henry Hurst, esquire.

Dorset—Honble. Edward Henry Trafalgar Digby.
Surrey (Middle Division)—Sir James John Trevor Lawrence, baronet.
Ipswich—Thomas Clement Cobbold, esquire.
Aberdeen County (Eastern Division)—Sir Alexander Hamilton Gordon.
Armagh Borough—George De La Poer Beresford, esquire.
Salop (Northern Division)—Stanley Leighton, esquire.
Whitehaven—Right honble. George Augustus Frederick Cavendish Bentinck.

THURSDAY, FEBRUARY 17.

Huntingdon Borough—Viscount Hinchingbrook.
Leominster—Thomas Blake, esquire.

MONDAY, FEBRUARY 21.

Enniskillen—Viscount Crichton.
Burnley—Peter Rylands, esquire.

THURSDAY, FEBRUARY 24.

Manchester—Jacob Bright, esquire (made affirmation.)
Suffolk County (Eastern Division) — Frederick St. John Newdegate Barne, esquire.

FRIDAY, FEBRUARY 25.

Berkshire—Philip Wroughton, esquire.

THURSDAY, MARCH 2.

East Retford—William Beckett Denison, esquire.
Horsham—James Clifton Brown, esquire.

THE MINISTRY

Of the Right Honourable BENJAMIN DISRAELI,

At the Commencement of the Third Session of the 21st Parliament,

February 8, 1876.

THE CABINET.

First Lord of the Treasury	Right Hon. Benjamin Disraeli.
Lord Chancellor	Right Hon. Lord Cairns.
President of the Council	His Grace the Duke of Richmond and Gordon, K.G.
Lord Privy Seal	Right Hon. Earl of Malmesbury, G.C.B.
Chancellor of the Exchequer	Right Hon. Sir Stafford Henry Northcote, Bt.
Secretary of State, Home Department	Right Hon. Richard Assheton Cross.
Secretary of State, Foreign Department	Right Hon. Earl of Derby.
Secretary of State for the Colonies	Right Hon. Earl of Carnarvon.
Secretary of State for War	Right Hon. Gathorne Hardy.
Secretary of State for India	Most Hon. Marquess of Salisbury.
First Lord of the Admiralty	Right Hon. George Ward Hunt.
Postmaster General	Right Hon. Lord John J. R. Manners.

NOT IN THE CABINET.

Field Marshal Commanding in Chief	H.R.H. the Duke of Cambridge, K.G.
Chief Commissioner of Works and Public Buildings	Right Hon. Lord Henry George Lennox.
Chancellor of the Duchy of Lancaster	Right Hon. Thomas Edward Taylor.
Vice President of the Committee of Council for Education	Right Hon. Viscount Sandon.
President of the Board of Trade	Right Hon. Sir Charles Bowyer Adderley, Bart.
President of the Local Government Board	Right Hon. George Sclater-Booth.
Lords of the Treasury	Earl Stanhope. Rowland Winn, Esq. Sir James Dalrymple Horn Elphinstone, Bt.
Lords of the Admiralty	Admiral Sir Alexander Milne, G.C.B., Vice Admiral Sir Geoffry T. Phipps Hornby, Captain Lord Gilford, and Sir Massey Lopes, Bart.
Joint Secretaries of the Treasury	Sir William Hart Dyke, Bart. William Henry Smith, Esq.
Secretary of the Admiralty	Hon. Algernon T. Fulke Egerton.
Secretary to the Board of Trade	Hon. Edward Stanhope.
Secretary to the Local Government Board	Thomas Salt, Esq.
Under Secretary, Home Department	Sir Henry Selwin Ibbetson, Bt.
Under Secretary, Foreign Department	Hon. Robert Bourke.
Under Secretary for Colonies	James Lowther, Esq.
Under Secretary for War	Earl Cadogan.
Under Secretary for India	Lord George F. Hamilton.
Paymaster General	Right Hon. Stephen Cave.
Judge Advocate	Right Hon. George F. C. Bentinck.
Attorney General	Sir John Holker, Knt.
Solicitor General	Sir Hardinge S. Giffard, Knt.

SCOTLAND.

Lord Advocate	Right Hon. Edward Strathearn Gordon.
Solicitor General	

IRELAND.

Lord Lieutenant	His Grace the Duke of Abercorn, K.G.
Lord Chancellor	Right Hon. John Thomas Ball.
Chief Secretary to the Lord Lieutenant	Right Hon. Sir Michael Edward Hicks-Beach, Bt.
Attorney General	Right Hon. G. C. A. May.
Solicitor General	Hon. David Robert Plunket.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl Beauchamp.
Lord Chamberlain	Most Hon. Marquess of Hertford.
Master of the Horse	Right Hon. Earl of Bradford.
Treasurer of the Household	Lord Henry Thynne.
Comptroller of the Household	Right Hon. Lord Henry Somerset.
Vice Chamberlain of the Household	Viscount Barrington.
Captain of the Corps of Gentlemen at Arms	Most Hon. Marquess of Exeter.
Captain of the Yeomen of the Guard	Right Hon. Lord Skelmersdale.
Master of the Buckhounds	Right Hon. Earl of Hardwicke.
Chief Equerry and Clerk Marshal	Lord Alfred H. Paget.
Mistress of the Robes	Her Grace the Duchess of Wellington,

ROLL OF THE LORDS SPIRITUAL AND TEMPORAL

In the Third Session of the Twenty-first Parliament of the United Kingdom of Great Britain and Ireland.

39o VICTORIÆ 1876.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.

His Royal Highness Alfred Ernest Albert Duke of Edinburgh.

His Royal Highness Arthur William Patrick Albert Duke of Connaught and Strathearn.

His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)

His Royal Highness George William Frederick Charles Duke of Cambridge.

Archibald Campbell Archbishop of Canterbury.

Hugh Mac Calmont Lord Cairns, *Lord Chancellor.*

William Archbishop of York.

Charles Henry Duke of Richmond and Gordon. *Lord President of the Council.*

James Howard Earl of Malmesbury, *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*

Edward Adolphus Duke of Somerset.

Charles Henry Duke of Richmond and Gordon. (*In another Place as Lord President of the Council.*)

William Henry Duke of Grafton.

Henry Charles Fitzroy Duke of Beaufort.

William Amelius Aubrey de Vere Duke of Saint Albans.

George Godolphin Duke of Leeds.

Francis Charles Hastings Duke of Bedford.

William Duke of Devonshire.

John Winston Duke of Marlborough.

Charles Cecil John Duke of Rutland.

William Alexander Louis Stephen Duke of Brandon. (*Duke of Hamilton.*)

William John Duke of Portland.

William Drogo Duke of Manchester.

Henry Pelham Alexander Duke of Newcastle.

Algernon George Duke of Northumberland.

Arthur Richard Duke of Wellington.

Richard Plantagenet Campbell Duke of Buckingham and Chandos.

George Granville William Duke of Sutherland.

Harry George Duke of Cleveland.

Hugh Lupus Duke of Westminster.

Francis Hugh George Marquess of Hertford, *Lord Chamberlain of the Household.*

John Marquess of Winchester.

John Sholto Marquess of Queensberry. (*Elected for Scotland.*)

George Marquess of Tweeddale. (*Elected for Scotland.*)

Henry Charles Keith Marquess of Lansdowne.

John Villiers Stuart Marquess Townshend.

Robert Arthur Talbot Marquess of Salisbury.

John Alexander Marquess of Bath.

James Marquess of Abercorn. (*Duke of Abercorn.*)

Francis Hugh George Marquess of Hertford. (*In another Place as Lord Chamberlain of the Household.*)

ROLL OF THE LORDS SPIRITUAL AND TEMPORAL.

John Patrick Marquess of Bute.

William Alleyne Marquess of Exeter.

Charles Marquess of Northampton.

John Charles Marquess Camden.

Henry William George Marquess of Anglesey.

William Henry Hugh Marquess of Cholmondeley.

George William Frederick Marquess of Ailesbury.

Frederick William John Marquess of Bristol.

Archibald Marquess of Ailsa.

George Augustus Constantine Marquess of Normanby.

George Frederick Samuel Marquess of Ripon.

William Marquess of Abergavenny.

Frederick Earl Beauchamp, *Lord Steward of the Household.*

Charles John Earl of Shrewsbury.

Edward Henry Earl of Derby.

Francis Power Plantagenet Earl of Huntingdon.

George Robert Charles Earl of Pembroke and Montgomery.

William Reginald Earl of Devon.

Charles John Earl of Suffolk and Berkshire.

Rudolph William Basil Earl of Denbigh.

Francis William Henry Earl of Westmorland.

George Augustus Frederick Albemarle Earl of Lindsey.

George Harry Earl of Stamford and Warrington.

George James Earl of Winchilsea and Nottingham.

George Philip Earl of Chesterfield.

John William Earl of Sandwich.

Arthur Algernon Earl of Essex.

William George Earl of Carlisle.

Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)

Anthony Earl of Shaftesbury.

——— Earl of Berkeley.

Montagu Earl of Abingdon.

Richard George Earl of Scarbrough.

George Thomas Earl of Albemarle.

George William Earl of Coventry.

Victor Albert George Earl of Jersey.

William Henry Earl Poulett.

Sholto John Earl of Morton. (*Elected for Scotland.*)

Claude Earl of Strathmore and Kinghorn. (*Elected for Scotland.*)

George Earl of Haddington. (*Elected for Scotland.*)

Thomas Earl of Lauderdale. (*Elected for Scotland.*)

David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)

John Thornton Earl of Leven and Melville. (*Elected for Scotland.*)

Dunbar James Earl of Selkirk. (*Elected for Scotland.*)

Sewallis Edward Earl Ferrers.

William Walter Earl of Dartmouth.

Charles Earl of Tankerville.

Heneage Earl of Aylesford.

Francis Thomas De Grey Earl Cowper.

Arthur Philip Earl Stanhope.

Thomas Augustus Wolstenholme Earl of Macclesfield.

Douglas Beresford Malise Ronald Earl Graham. (*Duke of Montrose.*)

William Frederick Earl Waldegrave.

Bertram Earl of Ashburnham.

Charles Wyndham Earl of Harrington.

Isaac Newton Earl of Portsmouth.

George Guy Earl Brooke and Earl of Warwick.

Augustus Edward Earl of Buckinghamshire.

William Thomas Spencer Earl Fitzwilliam.

Dudley Francis Earl of Guilford.

Charles Philip Earl of Hardwicke.

Henry Edward Earl of Ilchester.

Reginald Windsor Earl De La Warr.

Jacob Earl of Radnor.

John Poyntz Earl Spencer.

William Lennox Earl Bathurst.

Arthur Wills John Wellington Blundell Trumbull Earl of Hillsborough. (*Marquess of Downshire.*)

Edward Hyde Earl of Clarendon.

William David Earl of Mansfield.

John James Hugh Henry Earl Strange. (*Duke of Atholl.*)

William Henry Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

Henry Howard Molyneux Earl of Carnarvon.

George Henry Earl Cadogan.

James Howard Earl of Malmesbury. (*In another Place as Lord Privy Seal.*)

John Vansittart Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

Charles Francis Arnold Earl of Wicklow. (*Elected for Ireland.*)

John Henry Reginald Earl of Clonmell. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

Francis Robert Earl of Rosslyn.

George Grimston Earl of Craven.

William Hillier Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

Lawrence Earl of Rosse. (*Elected for Ireland.*)

Sydney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

Henry Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

Adelbert Wellington Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans.

Albert Edmund Earl of Morley.

Orlando George Charles Earl of Bradford.

Frederick Earl Beauchamp. (*In another Place as Lord Steward of the Household.*)

William Henry Hare Earl of Bantry. (*Elected for Ireland.*)

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Somers Earl Somers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane. (*Marquess of Londonderry.*)

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Robert Adam Philips Haldane Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Alfred Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Lawrence Earl of Zetland.

Charles George Earl of Gainsborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

William John Earl of Cottenham.

Henry Richard Charles Earl Cowley.

Archibald William Earl of Winton. (*Earl of Eglintoun.*)

William Earl of Dudley.

John Earl Russell.

John Earl of Kimberley.

Richard Earl of Dartrey.

William Ernest Earl of Feversham.

Frederick Temple Earl of Dufferin.

John Robert Earl Sydney.

Henry Thomas Earl of Ravensworth.

Edward Montagu Stuart Granville Earl of Wharncliffe.

Robert Viscount Hereford.

William Henry Viscount Strathallan. (*Elected for Scotland.*)

Henry Viscount Bolingbroke and St. John.

Evelyn Viscount Falmouth.

George Viscount Torrington.

Charles William Viscount Leinster. (*Duke of Leinster.*)

Francis Wheler Viscount Hood.

Mervyn Viscount Powerscourt. (*Elected for Ireland.*)

James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
Carnegie Robert John Viscount St. Vincent.
Robert Viscount Melville.
William Wells Viscount Sidmouth.
George Frederick Viscount Templetown. (*Elected for Ireland.*)
John Campbell Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
John Luke George Viscount Hutchinson. (*Earl of Donoughmore.*)
Richard Somerset Viscount Clancarty. (*Earl of Clancarty.*)
Wellington Henry Viscount Combermere.
John Henry Thomas Viscount Canterbury.
Rowland Clegg Viscount Hill.
Charles Stewart Viscount Hardinge.
George Stephens Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley.
Charles Viscount Halifax.
Alexander Nelson Viscount Bridport.
Edward Berkeley Viscount Portman.
Edward Viscount Cardwell.

John Bishop of London.
Charles Bishop of Durham.
Edward Harold Bishop of Winchester.
Alfred Bishop of Llandaff.
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
James Colquhoun Bishop of Bangor.
Henry Bishop of Worcester.
Charles John Bishop of Gloucester and Bristol.
William Bishop of Chester.
Thomas Legh Bishop of Rochester.
George Augustus Bishop of Lichfield.
James Bishop of Hereford.
William Connor Bishop of Peterborough.
Christopher Bishop of Lincoln.
George Bishop of Salisbury.
Frederick Bishop of Exeter.
Harvey Bishop of Carlisle.
Arthur Charles Bishop of Bath and Wells.
John Fielder Bishop of Oxford.
James Bishop of Manchester.
Richard Bishop of Chichester.
Joshua Bishop of St. Asaph.
James Russell Bishop of Ely.

Dudley Charles Lord De Ros.
George Manners, Lord Hastings.
Edward Southwell Lord De Clifford.
Thomas Crosby William Lord Dacre.
Charles Henry Rolle Lord Clinton.
Robert Nathaniel Cecil George Lord Zouche of Haryngworth.
Charles Edward Hastings Lord Botreaux. (*Earl of Loudoun.*)
Thomas Lord Camoys.
Henry Lord Beaumont.
Alfred Joseph Lord Stourton.
Henry Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
Ralph Gordon Lord Wentworth.
Robert George Lord Windsor.
St. Andrew Lord St. John of Bletso.
Frederick George Lord Howard de Walden.
William Bernard Lord Petre.
Frederick Benjamin Lord Saye and Sele.
John Francis Lord Arundell of Wardour.
John Stuart Lord Clifton. (*Earl of Darnley.*)
John Baptist Joseph Lord Dormer.
George Henry Lord Teynham.
Henry Valentine Lord Stafford.
George Frederick William Lord Byron.
Charles Hugh Lord Clifford of Chudleigh.
Horace Courtenay Lord Forbes. (*Elected for Scotland.*)
Alexander Lord Saltoun. (*Elected for Scotland.*)
James Lord Sinclair. (*Elected for Scotland.*)
William Buller Fullerton Lord Elphinstone. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

George Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

John George Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

George Watson Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

Florance George Henry Lord Boston.

Charles George Lord Lovel and Holland. (*Earl of Egmont.*)

Augustus Henry Lord Vernon.

Edward St. Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*)

Edward Henry Julius Lord Hawke.

Henry Thomas Lord Foley.

Francis William Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Henry Lord Southampton.

Thomas Brinsley Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

William Gordon Cornwallis Lord Eliot.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Henry De La Poer Lord Tyrone. (*Marquess of Waterford.*)

Henry Bentinck Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Dudley Wilmot Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Thomas John Lord Thurlow.

William George Lord Auckland.

George William Lord Lyttelton.

Henry George Lord Mendip. (*Viscount Clifden.*)

George Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Alan Plantagenet Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William Lord Brodrick. (*Viscount Midleton.*)

Frederick Henry William Lord Calthorpe.

Peter Robert Lord Gwydir.

Charles Robert Lord Carrington.

William Henry Lord Bolton.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Lord Dunsany. (*Elected for Ireland.*)

Theobald Fitz-Walter Lord Dunboyne. (*Elected for Ireland.*)

Edward Donough Lord Inchiquin. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Charles Lord Headley. (*Elected for Ireland.*)

Edward Henry Churchill Lord Crofton. (*Elected for Ireland.*)

Dayrolles Blakeney Lord Ventry. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

William Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

Horace Lord Rivers.

Charles Edmund Lord Ellenborough.

Augustus Frederick Arthur Lord Sandys

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Adrian Louis Lord Hopetoun. (*Earl of Hopetoun.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

George Frederick Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Hale John Charles Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Robert Canning Lord Harris.

Reginald Charles Edward Lord Colchester.

Schomberg Henry Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

William Lygon Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Hugh Lord Delamere.

George Cecil Weld Lord Forester.

John William Lord Rayleigh.

Edric Frederic Lord Gifford.

Hubert Lord Somerhill. (*Marquess of Clanricarde.*)

Alexander William Crawford Lord Wigan. (*Earl of Crawford and Balcarres.*)

Uchter John Mark Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Charles Stuart Aubrey Lord Tenterden.

William Conyngham Lord Plunket.

William Henry Ashe Lord Heytesbury.

Archibald Philip Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Draper Mortimer Lord Wynford.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Valentine Frederick Lord Cloncurry.

John St. Vincent Lord De Saumarez.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Alexander Hugh Lord Ashburton.

Edward Richard Lord Hatherton.

George Henry Charles Lord Strafford.

Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)

William Frederick Lord Stratheden.

Geoffrey Dominick Augustus Frederick Lord Oranmore and Browne. (*Elected for Ireland.*)

Simon Lord Lovat.

William Bateman Lord Bateman.

James Molyneux Lord Charlemont. (*Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Derrick Warner William Lord Rossmore.

Robert Shapland Lord Carew.

Charles Frederick Ashley Cooper Lord De Mauley.

Arthur Lord Wrottesley.

Sudeley Charles George Tracy Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Henry Edward John Lord Stanley of Alderley.

William Henry Lord Leigh.

Beilby Richard Lord Wenlock.

Charles Lord Lurgan.

Thomas Spring Lord Monteagle of Brandon.

James Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Oxenfoord. (*Earl of Stair.*)

Charles Crespigny Lord Vivian.
John Lord Congleton.
Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)
Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)
William Henry Forester Lord Londesborough.
Samuel Jones Lord Overstone.
Charles Robert Claude Lord Truro.
——— Lord De Freyne.
Edward Burtenshaw Lord Saint Leonards.
Richard Henry Fitz-Roy Lord Raglan.
Gilbert Henry Lord Aveland.
Valentine Augustus Lord Kenmare. (*Earl of Kenmare.*)
Richard Bickerton Pemell Lord Lyons.
Edward Lord Belper.
James Lord Talbot de Malahide.
Robert Lord Ebury.
James Lord Skene. (*Earl Fife.*)
William George Lord Chesham.
Frederic Lord Chelmsford.
John Lord Churston.
John Charles Lord Strathspey. (*Earl of Seafield.*)
Henry Lord Leconfield.
William Tatton Lord Egerton.
Godfrey Charles Lord Tredegar.
Fitzpatrick Henry Lord Lyveden.
William Lord Brougham and Vaux.
Richard Luttrell Pilkington Lord Westbury.
Francis William Fitzhardinge Lord Fitzhardinge.
Luke George Lord Annaly.
Richard Monckton Lord Houghton.
——— Lord Buckhurst.
William Lord Romilly.
Thomas George Lord Northbrook.
James Lord Barrogill. (*Earl of Caithness.*)
Thomas Lord Clermont.
James Herbert Gustavus Meredyth Lord Meredyth. (*Lord Athlumney.*)
Windham Thomas Lord Kenry. (*Earl of Dunraven and Mount-Earl.*)
Charles Stanley Lord Monck. (*Viscount Monck.*)
John Major Lord Hartismere. (*Lord Henniker.*)
Edward Robert Lytton Lord Lytton.
William George Hylton Lord Hylton.
Hugh Henry Lord Strathnairn.
Edward Gordon Lord Penrhyn.
Gustavus Russell Lord Brancepeth. (*Viscount Boyne.*)
Hugh Mac Calmont Lord Cairns. (*In another Place as Lord High Chancellor.*)
John Henry Lord Kesteven.
John Lord Ormathwaite.
William Lord O'Neill.
Robert Cornelis Lord Napier.
Edward Anthony John Lord Gormanston. (*Viscount Gormanston.*)
William Page Lord Hatherley.
John Laird Mair Lord Lawrence.
James Plaisted Lord Penzance.
John Lord Dunning. (*Lord Rollo.*)
James Lord Balinhard. (*Earl of Southesk.*)
William Lord Hare. (*Earl of Listowel.*)
Edward George Lord Howard of Glossop.
John Lord Castletown.
John Emerich Edward Lord Acton.
Thomas James Lord Robartes.
George Grenfell Lord Wolverton.
Fulke Southwell Lord Greville.
Thomas Lord O'Hagan.
John Lord Lisgar.
William Rose Lord Sandhurst.
John Arthur Douglas Lord Bloomfield
Frederic Lord Blachford.
Francis Lord Ettrick. (*Lord Napier.*)
John Lord Hanmer.
Roundell Lord Selborne.
Gavin Lord Breadalbane. (*Earl of Breadalbane.*)
James Charles Herbert Welbore Ellis Lord Somerton. (*Earl of Normanton.*)
Robert Alexander Shafto Lord Waveney.
Henry Austin Lord Aberdare.
Edward Granville George Lord Lanerton.
James Lord Moncreiff.
John Duke Lord Coleridge.
William Lord Emly.
Chichester Samuel Lord Carlingford.
Thomas Francis Lord Cottesloe.
Edmund Lord Hammond.
John Somerset Lord Hampton.
John Lord Winmarleigh.
Cospatrick Alexander Lord Douglas. (*Earl of Home.*)
George Lord Ramsay. (*Earl of Dalhousie.*)
Arthur Edward Holland Grey Lord Grey de Radcliffe.
John Lord Fermanagh. (*In another Place as Earl of Erne.*)
John Ralph Lord Harlech.
Henry Gerard Lord Alington.
John Lord Tollemache.
Robert Tolver Lord Gerard.

LIST OF THE COMMONS.

THE NAMES OF MEMBERS

Returned to serve in the Twenty-first Parliament of the United Kingdom of Great Britain and Ireland, summoned to meet at Westminster the Fifth Day of March, One Thousand Eight Hundred and Seventy-four, as by the several Returns filed in the Office of the Clerk of the Crown in Chancery appears: amended to the Opening of the Third Session on the 8th Day of February, 1876.

BEDFORD COUNTY.

Sir Richard Thomas Gilpin, bt.
Marquess of Tavistock.

BEDFORD.

Samuel Whitbread,
Frederick Charles Polhill-Turner.

BERKS COUNTY.

Robert Loyd-Lindsay,
John Walter.

READING.

Sir Francis Henry Goldsmid, bt.,
George John Shaw Lefevre.

WINDSOR (NEW).

Robert Richardson Gardner.

WALLINGFORD.

Edward Wells.

ABINGDON.

John Creemer Clarke.

BUCKINGHAM COUNTY.

Rt. hon. Benjamin Disraeli,
Sir Robert Bateson Harvey, bt.,
Nathaniel Grace Lambert.

AYLESBURY.

Nathaniel Mayer de Rothschild,
Samuel George Smith.

BUCKINGHAM.

Egerton Hubbard.

MARLOW (GREAT).

Thomas Owen Wethered.

WYCOMBE (CHEPPING).

Hon. William Henry Peregrine Carington.

CAMBRIDGE COUNTY.

Rt. hon. Henry Bouverie William Brand,
Hon. Eliot Constantine Yorke,
Benjamin Bridges Hunter Rodwell.

CAMBRIDGE (UNIVERSITY).

Rt. hon. Spencer Horatio Walpole,
Alexander James Beresford Beresford Hope.

CAMBRIDGE.

Alfred George Marten,
Patrick Boyle Smollett.

EAST CHESHIRE.

William John Legh,
William Cunliffe Brooks.

MID CHESHIRE.

Hon. Wilbraham Egerton,
Egerton Leigh.

WEST CHESHIRE.

Sir Philip de Malpas Grey Egerton, bt.,
Wilbraham Frederick Tollemache.

MACCLESFIELD.

William Coare Brocklehurst,
David Chadwick.

STOCKPORT.

Charles Henry Hopwood,
Frederick Pennington.

BIRKENHEAD.

David Mac Iver.

CHESTER.

Henry Cecil Raikes,
Rt. hon. John George Dodson.

CORNWALL COUNTY.

(Eastern Division.)

Sir Colman Rashleigh, bt.,
John Tremayne.

(Western Division.)

Sir John Saint Aubyn, bt.,
Arthur Pendarves Vivian.

TRURO.

Sir Frederick Martin Williams, bt.,
Sir James Macnaghten Hogg.

PENRYN AND FALMOUTH.

David James Jenkins,
Henry Thomas Cole.

BODMIN.

Hon. Edward Frederic Leveson-Gower.

LAUNCESTON.

James Henry Deakin, jun.

LISKEARD.

Rt. hon. Edward Horsman.

HELSTON.

Adolphus William Young.

ST. IVES.

Charles Tyringham Praed.

CUMBERLAND COUNTY.

(Eastern Division.)

Hon. Charles Wentworth George Howard,
William Nicholson Hodgson.

(Western Division.)

Hon. Percy Scawen Wyndham,
Rt. Hon. Jocelyn Francis Lord Muncaster.

CARLISLE.

Robert Ferguson,
Sir Wilfrid Lawson, bt.

COCKERMOUTH.

Isaac Fletcher.

WHITEHAVEN.

Rt. hon. George Augustus Frederick Cavendish Bentinck.

DERBY COUNTY.

(North Derbyshire.)

Lord George Henry Cavendish,
Augustus Peter Arkwright.

(South Derbyshire.)

Sir Henry Wilmot, bt.,
Thomas William Evans.

(East Derbyshire.)

Hon. Francis Egerton,
Francis Arkwright.

DERBY.

Michael Thomas Bass,
Samuel Plimsoll.

DEVON COUNTY.

(North Devonshire.)

Rt. hon. Sir Stafford Henry Northcote, bt.,
Sir Thomas Dyke Acland, bt.

(East Devonshire.)

Sir Lawrence Palk, bt.,
Sir John Henry Kennaway, bt.

(South Devonshire.)

Sir Lopes Massey Lopes, bt.,
John Carpenter Garnier.

TIVERTON.

Sir John Heathcoat Amory, bt.
Rt. hon. William Nathaniel Massey.

PLYMOUTH.

Edward Bates,
Sampson Samuel Lloyd.

BARNSTAPLE.

Thomas Cave,
Samuel Danks Waddy.

DEVONPORT.

John Henry Puleston,
George Edward Price.

TAVISTOCK.

Lord Arthur John Edward Russell.

EXETER.

Arthur Mills,
John George Johnson.

DORSET COUNTY.

John Floyer,
Hon. William Henry Berkeley Portman,
Hon. Edward Trafalgar Digby.

WEYMOUTH AND MELCOMBE REGIS.

Henry Edwards,
Sir Frederick John William Johnstone, bt.

DORCHESTER.

William Ernest Brymer.

BRIDPORT.

Pandeli Ralli.

SHAFTESBURY.

Vere Fane Benett-Stanford.

WAREHAM.

John Samuel Wanley Sawbridge Erle-Drax.

POOLE.

Hon. Anthony Evelyn Melbourne Ashley.

DURHAM COUNTY.

(Northern Division.)

Charles Mark Palmer,
Sir George Elliot, bt.

(Southern Division.)

Joseph Whitwell Pease,
Frederick Edward Blackett Beaumont.

DURHAM (CITY).

Farrer Herschell,
Sir Arthur Edward Monck, bt.

SUNDERLAND.

Edward Temperley Gourley,
Sir Henry Marshman Havelock, bt.

GATESHEAD.

Walter Henry James.

SHIELDS (SOUTH).

James Cochran Stevenson.

DARLINGTON.

Edmund Backhouse.

HARTLEPOOL.

Isaac Lowthian Bell.

STOCKTON.

Joseph Dodds.

ESSEX COUNTY.

(West Essex.)

Sir Henry John Selwin Ibbetson, bt.,
Lord Eustace Henry Brownlow Gascoyne Cecil.

ESSEX COUNTY—*cont.*

(East Essex.)

James Round,
Samuel Brise Ruggles-Brise.

(South Essex.)

Thomas Charles Baring,
William Thomas Makins.

COLCHESTER.

Alexander Learmonth,
Herbert Bulkeley Praed.

MALDON.

George Montagu Warren Sandford.

HARWICH.

Henry Jervis White Jervis.

GLOUCESTER COUNTY.

(Eastern Division.)

Rt. hon. Sir Michael Edward Hicks-Beach, bt.
John Reginald Yorke.

(Western Division.)

Hon. Randall Edward Sherborne Plunkett,
Robert Nigel Fitzhardinge Kingscote.

STROUD.

Alfred John Stanton.
Samuel Stephens Marling.

TEWKESBURY.

William Edwin Price.

CIRENCESTER.

Allen Alexander Bathurst.

CHELTENHAM.

James Tynte Agg-Gardner.

GLOUCESTER.

William Killigrew Wait,
Charles James Monk.

HEREFORD COUNTY.

Sir Joseph Russell Bailey, bt.,
Michael Biddulph,
Daniel Peploe Peploe.

HEREFORD.

Evan Pateshall,
George Clive.

LEOMINSTER.

HERTFORD COUNTY.

Thomas Frederick Halsey,
Abel Smith,
Hon. Henry Frederick Cowper.

HERTFORD.

Arthur James Balfour.

HUNTINGDON COUNTY.

Edward Fellowes,
Sir Henry Carstairs Pelly, bt.

HUNTINGDON.

Sir John Burgess, Karslake, knt.

KENT COUNTY.

(Eastern Division.)

Edward Leigh Pemberton,
Sir Wyndham Knatchbull, bt.

(West Kent.)

Sir Charles Henry Mills, bt.
John Gilbert Talbot.

(Mid Kent.)

Hon. William Archer (Amherst) Viscount Holmesdale,
William Hart Dyke.

ROCHESTER.

Philip Wykeham-Martin,
Julian Goldsmid.

MAIDSTONE.

Sir John Lubbock, bt.,
Sir Sydney Hedley Waterlow, bt.

GREENWICH.

Thomas William Boord,
Rt. hon. William Ewart Gladstone.

CHATHAM.

John Eldon Gorst.

GRAVESEND.

Bedford Clapperton Trevelyan Pim.

CANTERBURY.

Henry Alexander Monro Butler-Johnstone,
Lewis Ashurst Majendie.

LANCASTER COUNTY.

(North Lancashire.)

Hon. Frederick Arthur Stanley,
Thomas Henry Clifton.

(North-east Lancashire.)

James Maden Holt,
John Pierce Chamberlain Starkie.

LANCASTER COUNTY—*cont.*

(South-east Lancashire.)

Hon. Algernon Fulke Egerton,
Edward Hardcastle.

(South-west Lancashire.)

Rt. hon. Richard Assheton Cross,
John Ireland Blackburne.

LIVERPOOL.

Hon. Dudley Francis Stuart (Ryder) Viscount Sandon,
John Torr,
William Rathbone.

MANCHESTER.

Hugh Birley,
Sir Thomas Bazley, bt.

PRESTON.

Edward Hermon,
Sir John Holker, knt.

WIGAN.

Hon. Lord Lindsay,
Thomas Knowles.

BOLTON.

John Hick,
John Kynaston Cross.

BLACKBURN.

William Edward Briggs.
Daniel Thwaites.

OLDHAM.

Frederick Lowten Spinks,
John Morgan Cobbett.

SALFORD.

Charles Edward Cawley,
William Thomas Charley.

CLITHEROE.

Ralph Assheton.

ASHTON-UNDER-LYNE.

Thomas Walton Mellor.

BURY.

Robert Needham Philips.

ROCHDALE.

Thomas Bayley Potter.

WARRINGTON.

Sir Gilbert Greenall, bt.

BURNLEY

STALEYBRIDGE.

Tom Harrop Sidebottom.

LEICESTER COUNTY.

(Northern Division.)

Rt. hon. Lord John James Robert Manners,
Samuel William Clowes.

(Southern Division.)

Albert Pell,
William Unwin Heygate.

LEICESTER.

Peter Alfred Taylor,
Alexander M'Arthur.

LINCOLN COUNTY.

(North Lincolnshire.)

Sir John Dugdale Astley, bt.,
Rowland Winn.

(Mid Lincolnshire.)

Henry Chaplin,
Hon. Edward Stanhope.

(South Lincolnshire.)

Sir William Earle Welby, bt.,
Edmund Turnor.

GRANTHAM.

Sir Hugh Arthur Henry Cholmeley, bt.,
Henry Francis Cockayne Cust.

BOSTON.

William James Ingram,
John Wingfield Malcolm.

STAMFORD.

Rt. hon. Sir John Charles Dalrymple Hay, bt.

GRIMSBY (GREAT).

John Chapman.

LINCOLN.

Edward Chaplin,
Charles Seely.

MIDDLESEX COUNTY.

Lord George Francis Hamilton,
Octavius Edward Coope.

WESTMINSTER.

William Henry Smith,
Sir Charles Russell, bt.

TOWER HAMLETS.

Charles Thompson Ritchie,
Joseph D'Aguilar Samuda.

HACKNEY.

John Holms,
Henry Fawcett.

FINSBURY.

William Torrens M'Cullagh Torrens,
Sir Andrew Lusk, bt.

MARYLEBONE.

William Forsyth,
Sir Thomas Chambers, knt.

CHELSEA.

Sir Charles Wentworth Dilke, bt.,
William Gordon.

LONDON (UNIVERSITY).

Rt. hon. Robert Lowe.

LONDON.

Rt. hon. William James Richmond Cotton (*Lord Mayor.*)
Philip Twells,
Rt. hon. John Gellibrand Hubbard,
Rt. hon. George Joachim Goschen.

MONMOUTH COUNTY.

Hon. Lord Henry Richard Charles Somerset,
Hon. Frederick Courtenay Morgan.

MONMOUTH.

Thomas Cordes.

NORFOLK COUNTY.

(West Norfolk.)

Sir William Bagge, bt.,
George William Pierrepont Bentinck.

(North Norfolk.)

Sir Edmund Henry Knowles Lacon, bt.,
Hon. Frederick Walpole.

(South Norfolk.)

Clare Sewell Read,
Sir Robert Jacob Buxton, bt.

LYNN REGIS.

Hon. Robert Bourke,
Lord Claud John Hamilton.

NORWICH.

Jeremiah James Colman,

NORTHAMPTON COUNTY.

(Northern Division.)

Rt. hon. George Ward Hunt,
Sackville George Stopford-Sackville.

(Southern Division.)

Sir Rainald Knightley, bt.,
Fairfax William Cartwright.

PETERBOROUGH.

Thompson Hankey,
George Hammond Whalley.

NORTHAMPTON.

Pickering Phipps,
Charles George Merewether.

NORTHUMBERLAND COUNTY.

(Northern Division.)

Rt. hon. Henry George (Percy) Earl Percy,
Matthew White Ridley.

NORTHUMBERLAND COUNTY—*cont.*

(Southern Division.)

Wentworth Blackett Beaumont,
Lord Eslington.

MORPETH.

Thomas Burt.

TYNEMOUTH.

Thomas Eustace Smith.

NEWCASTLE-UPON-TYNE.

Joseph Cowen,
Charles Frederick Hamond.

BERWICK-UPON-TWEED.

Sir Dudley Coutts Marjoribanks, bt.,
David Milne Home.

NOTTINGHAM COUNTY.

(Northern Division.)

Frederick Chatfield Smith,
Hon. George Edmund Milnes Monckton.

(Southern Division).

Thomas Blackborne Thoroton Hildyard,
George Storer.

NEWARK-UPON-TRENT.

Thomas Earp,
Samuel Boteler Bristowe.

RETFORD (EAST).

Hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

NOTTINGHAM.

William Evelyn Denison,
Saul Isaac.

OXFORD COUNTY.

Rt. hon. Joseph Warner Henley,
John Sidney North,
William Cornwallis Cartwright.

OXFORD (UNIVERSITY).

Rt. hon. Gathorne Hardy,
Rt. hon. John Robert Mowbray.

OXFORD (CITY).

Sir William George Granville Venables Vernon-Harcourt, knt.,
Alexander William Hall.

WOODSTOCK.

Lord Randolph Henry Spencer Churchill.

BANBURY.

Bernhard Samuelson.

RUTLAND COUNTY.

Rt. hon. Gerard James Noel,
George Henry Finch.

SALOP COUNTY.

(Northern Division.)

Hon. George Cecil Orlando (Bridgeman) Viscount Newport,
Stanley Leighton.

(Southern Division.)

Rt. hon. Sir Percy Egerton Herbert,
Edward Corbett.

SHREWSBURY.

Charles Cecil Cotes,
Henry Robertson.

WENLOCK.

Alexander Hargreaves Brown,
Cecil Theodore Weld Forester.

LUDLOW.

Hon. George Herbert Windsor Windsor-Clive.

BRIDGNORTH.

William Henry Foster.

SOMERSET COUNTY.

(East Somerset.)

Ralph Shuttleworth Allen,
Richard Bright.

(Mid Somerset.)

Richard Horner Paget,
Ralph Neville Grenville.

(West Somerset.)

Hon. Arthur Wellington Alexander Nelson Hood,
Vaughan Hanning Lee.

BATH.

Arthur Divett Hayter,
Nathaniel George Philips Bousfield.

TAUNTON.

Alexander Charles Barclay,
Sir Henry James, knt.

FROME.

Henry Charles Lopes.

BRISTOL.

Kirkman Daniel Hodgson,
Samuel Morley.

SOUTHAMPTON COUNTY.

(Northern Division.)

Rt. hon. George Sclater-Booth,
William Wither Bramston Beach.

(Southern Division.)

Lord Henry John Montagu-Douglas-Scott,
Rt. hon. William Francis Cowper-Temple.

WINCHESTER.

William Barrow Simonds,
Arthur Robert Naghten.

PORTSMOUTH.

Sir James Dalrymple Horn Elphinstone, bt.,
Hon. Thomas Charles Bruce,

LYMINGTON.

Edmund Hegan Kennard.

ANDOVER.

Henry Wellesley.

CHRISTCHURCH.

Sir Henry Drummond Wolff.

PETERSFIELD.

Hon. Sydney Hylton Jolliffe.

SOUTHAMPTON.

Sir Frederick Perkins, knt.,
Rt. hon. Russell Gurney.

STAFFORD COUNTY.

(North Staffordshire.)

Rt. hon. Sir Charles Bowyer Adderley, bt.,
Colin Minton Campbell.

(West Staffordshire.)

Alexander Staveley Hill,
Francis Monckton.

(East Staffordshire.)

Samuel Charles Alsopp,
Michael Arthur Bass.

STAFFORD.

Thomas Salt,
Alexander Macdonald.

TAMWORTH.

Rt. hon. Sir Robert Peel, bt.,
Robert William Hanbury.

NEWCASTLE-UNDER-LYME.

Sir Edmund Buckley, bt.,
William Shepherd Allen.

WOLVERHAMPTON.

Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

STOKE-UPON-TRENT.

Robert Heath,
Edward Vaughan Kenealy.

WALSALL.

Sir Charles Forster, bt.

WEDNESBURY.

Alexander Brogden.

LICHFIELD.

Richard Dyott.

SUFFOLK COUNTY.

(Eastern Division.)

Frederick Brook (Thellusson) Lord Rendlesham,

(Western Division.)

Windsor Parker,
Thomas Thornhill.

IPSWICH.

Thomas Clement Cobbold,
James Redfoord Bulwer.

BURY ST. EDMUNDS.

Edward Greene,
Lord Francis Hervey.

EYE.

Hon. George William Viscount Barrington.

SURREY COUNTY.

(East Surrey.)

James Watney,
William Grantham.

(Mid Surrey.)

Sir Henry William Peek, bt.
Sir James John Trevor Lawrence, bt.

(West Surrey.)

George Cubitt,
Lee Steere.

SOUTHWARK.

John Locke,
Francis Marcus Beresford.

LAMBETH.

Sir James Clarke Lawrence, bt.,
William McArthur.

GUILDFORD.

Denzil Roberts Onslow.

SUSSEX COUNTY.

(Eastern Division.)

George Burrow Gregory,
Montagu David Scott.

(Western Division.)

Sir Walter Barttelot Barttelot, bt.,
Hon. Charles Henry (Gordon Lennox) Earl of March.

SHOREHAM (NEW).

Sir Percy Burrell, bt.,
Rt. hon. Stephen Cave.

BRIGHTHELMSTONE.

James Lloyd Ashbury,
Charles Cameron Shute.

CHICHESTER.

Rt. hon. Lord Henry George Charles Gordon Lennox.

LEWES.

William Langham Christie.

HORSHAM.

Robert Henry Hurst.

MIDHURST.

Sir Henry Thurston Holland, bt.

WARWICK COUNTY.

(Northern Division.)

Charles Newdigate Newdegate,
William Bromley Davenport.

(Southern Division.)

Hugh (de Grey Seymour) Earl of Yarmouth.
Sir John Eardley Eardley Wilmot, bt.

BIRMINGHAM.

George Dixon,
Philip Henry Muntz,
Rt. hon. John Bright.

WARWICK.

George William John Repton,
Arthur Wellesley Peel.

COVENTRY.

Henry William Eaton,
Henry Mather Jackson.

WESTMORELAND COUNTY.

Hon. Thomas (Taylour) Earl of Bective,
Hon. William Lowther.

KENDAL.

John Whitwell.

(WIGHT) ISLE OF.

Alexander Baillie Dundas Wishart Ross Cochrane.

NEWPORT, ISLE OF WIGHT.

Charles Cavendish Clifford.

WILTS COUNTY.

(Northern Division.)

George Thomas John Bucknall Estcourt,
Sir George Samuel Jenkinson, bt.

(Southern Division.)

Rt. hon. Lord Henry Frederick Thynne,
Hon. (William Pleydell Bouverie) Viscount Folkestone.

NEW SARUM (SALISBURY).

Granville Richard Ryder,
John Alfred Lush.

CRICKLADE.

Sir Daniel Gooch, bt.,
Ambrose Lethbridge Goddard.

DEVIZES.
Sir Thomas Bateson, bt.
MARLBOROUGH.
Rt. hon. Lord Ernest Augustus Charles Brudenell-Bruce.
CHIPPENHAM.
Gabriel Goldney.
CALNE.
Lord Edmond Fitzmaurice.
MALMESBURY.
Walter Powell.
WESTBURY.
Abraham Laverton.
WILTON.
Sir Edmund Antrobus, bt.

WORCESTER COUNTY.
(*Eastern Division.*)
Henry Alsopp,
Thomas Eades Walker.

(*Western Division.*)
William Edward Dowdeswell,
Frederick Winn Knight.
EVESHAM.
James Bourne.
DROITWICH.
John Corbett.
BEWDLEY.
Charles Harrison.
DUDLEY.
Henry Brinsley Sheridan.
KIDDERMINSTER.
Sir William Augustus Fraser, bt.
WORCESTER.
Alexander Clunes Sherriff,
Thomas Rowley Hill.

YORK COUNTY.
(*North Riding.*)
Rt. hon. William Reginald (Duncombe) Viscount Helmsley,
Frederick Acclom Milbank.

(*East Riding.*)
Christopher Sykes,
William Henry Harrison Broadley.

(*West Riding, Northern Division.*)
Lord Frederick Charles Cavendish,
Sir Matthew Wilson, bt.

(*West Riding, Eastern Division.*)
Christopher Beckett Denison,
Joshua Fielden.

(*West Riding, Southern Division.*)
Walter Thomas William Spencer Stanhope,
Lewis Randal Starkey.

YORK COUNTY—*cont.*
LEEDS.
Robert Meek Carter,
William St. James Wheelhouse,
Robert Tennant.
PONTEFRACT.
Rt. hon. Hugh Culling Eardley Childers,
Samuel Waterhouse.
SCARBOROUGH.
Sir Charles Legard, bt.,
Sir Harcourt Vanden Bempde Johnstone, bt.
SHEFFIELD.
John Arthur Roebuck,
Anthony John Mundella.
BRADFORD.
Rt. hon. William Edward Forster,
Henry William Ripley.
HALIFAX.
John Crossley,
Rt. hon. James Stansfeld.
KNARESBOROUGH.
Basil Thomas Woodd.
MALTON.
Hon. Charles William Wentworth-Fitzwilliam.
RICHMOND.
Hon. John Charles Dundas.
RIPON.
Rt. hon. Frederick Oliver (Robinson) Earl de Grey.
HUDDERSFIELD.
Edward Aldam Leatham.
THIRSK.
Sir William Payne Gallwey, bt.
NORTHALLERTON.
George William Elliot.
WAKEFIELD.
Thomas Kemp Sanderson.
WHITBY.
William Henry Gladstone.
YORK CITY.
George Leeman,
James Lowther.
MIDDLESBOROUGH.
Henry William Ferdinand Bolckow.
DEWSBURY.
John Simon.

KINGSTON-UPON-HULL.
Charles Henry Wilson,
Charles Morgan Norwood.

BARONS OF THE CINQUE PORTS.
DOVER.
Charles Kaye Freshfield,
Alexander George Dickson,

BARONS OF THE CINQUE PORTS—*cont.*
HASTINGS.
Thomas Brassey,
Ughtred James Kay-Shuttleworth.
SANDWICH.
Henry Arthur Brassey,
Rt. hon. Edward Hugessen Knatchbull-Hugessen.
HYTHE.
Sir Edward William Watkin.
RYE.
John Stewart Hardy.

WALES.
ANGLESEA COUNTY.
Richard Davies.
BEAUMARIS.
Morgan Lloyd.

BRECKNOCK COUNTY.
William Fuller Maitland.
BRECKNOCK.
James Price William Gwynne Holford.

CARDIGAN COUNTY.
Thomas Edward Lloyd.
CARDIGAN, &c.
David Davies.

CARMARTHEN COUNTY.
Hon. (Frederick Archibald Vaughan Campbell) Viscount Emlyn,
John Jones.
CARMARTHEN, &c.
Charles William Nevill.

CARNARVON COUNTY.
Hon. George Sholto Douglas Pennant.
CARNARVON, &c.
William Bulkeley Hughes.

DENBIGH COUNTY.
Sir Watkin Williams Wynn, bt.,
George Osborne Morgan.
DENBIGH, &c.
Watkin Williams.

FLINT COUNTY.
Hon. Lord Richard de Aquila Grosvenor.
FLINT, &c.
Peter Ellis Eyton.

GLAMORGAN COUNTY.
Henry Hussey Vivian,
Christopher Rice Mansel Talbot.

GLAMORGAN COUNTY—*cont.*

MERTHYR TYDVIL.

Henry Richard,
Richard Fothergill.

CARDIFF, &c.

James Frederick Dudley Crichton-Stuart.

SWANSEA, &c.

Lewis Llewelyn Dillwyn.

MERIONETH COUNTY.

Samuel Holland.

MONTGOMERY COUNTY.

Charles Watkin Williams Wynn.

MONTGOMERY.

Hon. Charles Douglas Richard Hanbury-Tracy.

PEMBROKE COUNTY.

John Henry Scourfield.

PEMBROKE.

Edward James Reed, C.B.

HAVERFORDWEST.

Hon. William Baron Kensington.

RADNOR COUNTY.

Hon. Arthur Walsh.

NEW RADNOR.

Rt. hon. Spencer Compton (Cavendish) Marquess of Hartington.

SCOTLAND.

ABERDEEN.

(*East Aberdeenshire.*)

Sir Alexander Hamilton Gordon, knt.

(*West Aberdeenshire.*)

William McCombie.

ABERDEEN.

John Farley Leith.

ARGYLE.

John Douglas Sutherland (Campbell) Marquess of Lorne.

AYR.

(*North Ayrshire.*)

Roger Montgomerie.

(*South Ayrshire.*)

Claud Alexander.

KILMARNOCK, RENFREW, &c.

James Fortescue Harrison.

BURGHS OF AYR, &c.

Sir William James Montgomery Cuninghame, bt.

BANFF.

Robert William Duff.

BERWICK.

Hon. Robert Baillie-Hamilton.

BUTE.

Charles Dalrymple.

CAITHNESSSHIRE.

Sir John George Tollemache Sinclair, bt.

WICK, KIRKWALL, &c.

John Pender.

CLACKMANNAN AND KINROSS.

Rt. hon. William Patrick Adam.

DUMBARTON.

Archibald Orr Ewing.

DUMFRIESSHIRE.

John James Hope-Johnstone.

DUMFRIES, &c.

Ernest Noel.

EDINBURGHSHIRE.

Rt. hon. William Henry (Montagu Douglas Scott) Earl of Dalkeith.

EDINBURGH.

Duncan McLaren,
James Cowan.

UNIVERSITIES OF EDINBURGH AND ST. ANDREWS.

Rt. hon. Lyon Playfair.

BURGHS OF LEITH, &c.

Donald Robert Macgregor.

ELGIN AND NAIRN.

Hon. Alexander William George (Duff) Viscount Macduff.

BURGHS OF ELGIN, &c.

Mountstuart Elphinstone Grant Duff.

FALKIRK, &c. BURGHS.

John Ramsay.

FIFE.

Sir Robert Anstruther, bt.

BURGHS OF ST. ANDREWS.

Edward Ellice.

KIRKCALDY, DYSART, &c.

Sir George Campbell, knt.

FORFAR.

James William Barclay.

TOWN OF DUNDEE.

James Yeaman,
Edward Jenkins.

MONTROSE, &c.

Rt. hon. William Edward Baxter.

HADDINGTON.

Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON BURGHS.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS.

Donald Cameron.

INVERNESS, &c.

Charles Fraser Mackintosh.

KINCARDINESHIRE.

Sir George Balfour, K.C.B.

KIRKCUDBRIGHT.

John Maitland.

LANARK.

(*North Lanarkshire.*)

Sir Thomas Edward Colebrooke, bt.

(*South Lanarkshire.*)

Sir Windham Charles James Carmichael-Anstruther, bt.

GLASGOW.

Charles Cameron,
George Anderson,
Alexander Whitelaw.

UNIVERSITIES OF GLASGOW AND ABERDEEN.

Rt. hon. Edward Strathearn Gordon.

LINLITHGOW.

Peter McLagan.

ORKNEY AND SHETLAND.

Samuel Laing.

PEEBLES AND SELKIRK.

Sir Graham Graham Montgomery, bt.

PERTH.

Sir William Sterling Maxwell, bt.

TOWN OF PERTH.

Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.

William Mure.

PAISLEY.

William Holms.

GREENOCK.

James Johnstone Grieve.

ROSS AND CROMARTY.

Alexander Matheson.

ROXBURGH.

Sir George Henry Scott Douglas, bt.

HAWICK, SELKIRK, &c.

George Otto Trevelyan.

STIRLING.

Sir William Edmonstone, bt.

STIRLING, &c.

Henry Campbell-Bannerman.

SUTHERLAND.

Hon. (Cromartie Leveson Gower) Marquess of Stafford.

WIGTON.

Robert Vans Agnew.

WIGTON, &c. BURGHS.

Mark John Stewart.

IRELAND.

ANTRIM COUNTY.

James Chaine,
Hon. Edward O'Neill.

BELFAST.

James Porter Corry,
William Johnston.

LISBURN.
Sir Richard Wallace, bt.

CARRICKFERGUS.
Marriott Robert Dalway.

ARMAGH COUNTY.
Edward Wingfield Verner,
Maxwell Charles Close.

ARMAGH (CITY).
George De La Poer Beresford.

CARLOW COUNTY.
Henry Bruen,
Arthur Kavanagh.

CARLOW (BOROUGH).
Henry Owen Lewis.

CAVAN COUNTY.
Charles Joseph Fay,
Joseph Gillis Biggar.

CLARE COUNTY.
Rt. hon. Sir Colman Michael O'Loghlen, bt.,
Rt. hon. Lord Francis Conyngham.

ENNIS.
William Stacpoole.

CORK COUNTY.
McCarthy Downing,
William Shaw.

BANDON BRIDGE.
Alexander Swanston.

YOUGHAL.
Sir Joseph Neale McKenna, knt.

KINSALE.
Eugene Collins.

MALLOW.
John George MacCarthy.

CORK (CITY).
Joseph Philip Ronayne,
Nicholas Daniel Murphy.

DONEGAL COUNTY.
Hon. James (Hamilton) Marquess of Hamilton,
Thomas Conolly.

DOWN COUNTY.
Hon. Lord Arthur Edwin Hill-Trevor,
James Sharman Crawford.

NEWRY.
William Whitworth.

DOWNPATRICK.
John Mulholland.

DUBLIN COUNTY.
Ion Trant Hamilton,
Rt. hon. Thomas Edward Taylor.

DUBLIN (CITY).
Sir Arthur Edward Guinness, bt.,
Maurice Brooks.

DUBLIN UNIVERSITY.
Edward Gibson,
Hon. David Robert Plunket.

FERMANAGH.
William Humphrys Archdall,
Hon. Henry Arthur Cole.

ENNISKILLEN.
Hon. John Henry (Crichton) Viscount Crichton.

GALWAY COUNTY.
John Philip Nolan,
Mitchell Henry.

GALWAY (BOROUGH).
George Morris,
Michael Francis Ward.

KERRY.
Henry Arthur Herbert,
Rowland Ponsonby Blennerhassett.

TRALEE.
Daniel O'Donoghue, (The O'Donoghue).

KILDARE.
Charles Henry Meldon,
Rt. hon. William Henry Ford Cogan.

KILKENNY.
George Leopold Bryan,
Patrick Martin.

KILKENNY (CITY).
Benjamin Whitworth.

KING'S COUNTY.
Sir Patrick O'Brien, bt.,
David Sherlock.

LEITRIM COUNTY.
John Brady,
William Richard Ormsby-Gore.

LIMERICK COUNTY.
William Henry O'Sullivan,
Edmund John Synan.

LIMERICK (CITY).
Isaac Butt,
Richard O'Shaughnessy.

LONDONDERRY COUNTY.
Richard Smyth,
Rt. hon. Hugh Law.

COLERAINE.
Daniel Taylor.

LONDONDERRY (CITY).
Charles Edward Lewis.

LONGFORD COUNTY.
Myles William O'Reilly,
George Errington.

LOUTH COUNTY.
Alexander Martin Sullivan,
George Harley Kirk.

DUNDALK.
Philip Callan.

DROGHEDA.
William Hagarty O'Leary.

MAYO COUNTY.
George Ekins Browne,
John O'Connor Power.

MEATH COUNTY.
Nicholas Ennis,
Charles Stewart Parnell.

MONAGHAN COUNTY.
Sir John Leslie, bt.,
Sewallis Evelyn Shirley.

QUEEN'S COUNTY.
Kenelm Thomas Digby,
Edmund Dease.

PORTARLINGTON.
Lionel Seymour William Dawson-Damer.

ROSCOMMON COUNTY.
Charles Owen O'Conor (The O'Conor Don),
Rt. hon. Charles French.

SLIGO COUNTY.
Sir Robert Gore Booth, bt.,
Denis Maurice O'Conor.

TIPPERARY COUNTY.
Stephen Moore,
Hon. William Frederick Ormonde O'Callaghan.

CLONMEL.
Arthur John Moore.

TYRONE COUNTY.
John William Ellison Macartney,
Hon. Henry William Lowry-Corry.

DUNGANNON.
Thomas Alexander Dickson.

WATERFORD COUNTY.
Lord Charles William De la Poer Beresford,
Sir John Esmonde, bt.

DUNGARVAN.
John O'Keeffe.

WATERFORD (CITY).
Richard Power,
Purcell O'Gorman.

WESTMEATH COUNTY.
Patrick James Smyth,
Rt. hon. Lord Robert Montagu.

ATHLONE.
Edward Sheil.

WEXFORD COUNTY.
Sir George Bowyer, bt.,
Keyes O'Clery.

WEXFORD (BOROUGH).
William Archer Redmond.

NEW ROSS.
John Dunbar.

WICKLOW COUNTY.
William Richard O'Byrne,
William Wentworth Fitzwilliam Dick.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Third Session of the *Twenty-First Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
appointed to meet 5 March, 1874, and thence continued
till 8 February, 1876, in the Thirty-Ninth Year of
the Reign of

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, 8th February, 1876.

THE PARLIAMENT, which had been Prorogued successively from the 13th day of August, 1875, to the 29th day of October; thence to the 15th day of December; thence to Tuesday, the 8th day of February, 1876, met this day for the Despatch of Business.

The Session of Parliament was opened by The Queen in Person.

THE QUEEN'S SPEECH.

Her Majesty, being seated on the Throne, adorned with Her Crown and Regal Ornaments, and attended by Her Officers of State, (the Lords being in their robes)—commanded the Yeoman Usher of the Black Rod, through the Deputy Lord Great Chamberlain, to let the Commons know "It is Her Majesty's Pleasure they attend Her immediately, in this House."

Who being come, with their Speaker;

—The LORD CHANCELLOR, in pursuance of Her Majesty's Commands, *delivered* Her Majesty's Speech as follows:—

"*My Lords, and Gentlemen,*

"It is with much satisfaction that I again resort to the advice and assistance of my Parliament.

"My relations with all Foreign Powers continue to be of a cordial character.

"The insurrectionary movement, which, during the last six months, has been maintained in the Turkish Provinces of Bosnia and Herzegovina, and which the troops of the Sultan have, up to the present time, been unable to repress, has excited the attention and interest of the great European Powers. I have considered it my duty not to stand aloof from the efforts now being made by allied and friendly Governments to bring about a pacification of the disturbed districts, and I have accordingly, while respecting the independence of the Porte, joined in urging on the Sultan the expediency of adopting such measures of administrative reform as may remove all reasonable cause of discontent on the part of his Christian subjects.

"I have agreed to purchase, subject to your sanction, the shares which belonged to the Khedive of Egypt in the Suez Canal, and I rely with confidence on your enabling me to complete a transaction in which the public interests are deeply involved.

"The representations which I addressed to the Chinese Government, as to the attack made in the course of last year on the Expedition sent from Burmah to the Western Provinces of China, have been received in a friendly spirit. The circumstances of that lamentable outrage are now the subject of an inquiry, in which I have thought it right to request that a Member of my Diplomatic Service should take part. I await the result of this inquiry in the firm conviction that it will be so conducted as to lead to the discovery and punishment of the offenders.

"Papers on all these subjects will be laid before you.

"I am deeply thankful for the uninterrupted health which my dear Son, the Prince of Wales, has enjoyed during his journey through India. The hearty affection with which he has been received by my Indian subjects of all classes and races assures me that they are happy under my rule, and loyal to my throne. At the time that the direct Government of my Indian Empire was transferred to the Crown, no formal addition was made to the style and titles of the Sovereign. I have deemed the present a fitting opportunity for supplying this omission, and a Bill upon the subject will be presented to you.

"The humane and enlightened policy consistently pursued by this country in putting an end to slavery within her own dependencies, and in suppressing the Slave Trade throughout the world, makes it important that the action of British National ships in the territorial waters of Foreign States should be in harmony with these great principles. I have, therefore, given directions for the issue of a Royal Commission to inquire into all Treaty engagements and other International obligations bearing upon this subject, and all instructions from time to time issued to my naval officers, with a view to ascertain whether any steps ought to be taken to secure for my ships and their Commanders abroad greater power for the maintenance of the right of personal liberty.

"A Bill will be laid before you for punishing Slave Traders who are subjects of Native Indian Princes.

"The affairs of my Colonial Empire, the general prosperity of which has continued to advance, have received a large share of my attention.

Papers of importance and interest will soon be in your hands showing the proceedings with respect to a Conference of the South African Colonies and States.

"The murder of a high officer of the Straits Settlements whilst acting as Resident in a neighbouring Malay State, and the disorders ensuing on that outrage, have demanded the interference of my troops. I trust that the operations, which have been ably and energetically conducted, though not without the loss of some valuable lives, have restored order, and re-established the just influence and authority of this country.

"*Gentlemen of the House of Commons*,

"I have directed the Estimates of the year to be prepared and presented to you without delay.

"*My Lords, and Gentlemen*,

"Bills for regulating the Ultimate Tribunal of Appeal for the United Kingdom, and for the amendment of the Merchant Shipping Laws, will be immediately submitted to you.

"Legislation will be proposed relating to the Universities and to Primary Education.

"Your attention will be called also to the Acts relating to the Inclosure of Commons, and to a measure for promoting economy and efficiency in the management of Prisons, and at the same time effecting a relief of local burthens.

"Other important measures, as the time of the Session permits, will be introduced to your notice; and I pray that your deliberations may, under the Divine blessing, result in the happiness and contentment of my people."

And then Her Majesty was pleased to retire.

And the Commons withdrew.

ROLL OF THE LORDS—Garter King of Arms attending, *delivered* at the Table (in the usual manner) a List of the Lords Temporal in the Third Session of the Twenty-first Parliament of the United Kingdom: The same was ordered to lie on the Table.

NEW PEERS.

John Ralph Ormsby-Gore, Esquire, having been created Baron Harlech of Harlech in the county of Merioneth—Was (in the usual manner) introduced.

John Tollemache, Esquire, having been created Baron Tollemache of Helmingham Hall in the county of Suffolk—Was (in the usual manner) introduced.

Sir Robert Tolver Gerard, Baronet, having been created Baron Gerard of Bryn in the county palatine of Lancaster—Was (in the usual manner) introduced.

SAT FIRST.

The Lord Dorchester, after the death of his Cousin.

SELECT VESTRIES.

Bill, *pro formâ*, read 1ª.

THE QUEEN'S SPEECH.

ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH.

The QUEEN'S SPEECH *reported* by The LORD CHANCELLOR.

THE EARL OF ABERDEEN, in moving an humble Address to Her Majesty, in answer to Her Majesty's most gracious Speech from the Throne, said:—My Lords, the circumstances under which Parliament this year assembles will be viewed by your Lordships and the nation at large with a sense of loyal satisfaction. It is a matter of congratulation to every subject of Her Majesty that, after an interval of several years, Her Majesty has been again enabled to inaugurate the proceedings of Parliament by Her presence. The fact that Her Majesty has to-day appeared on the

Throne in your Lordships' House may be taken as a gratifying indication that She is still favoured with that health and energy which for so many years have enabled Her to perform the duties of a Throne so illustrious as Hers. This circumstance is made still more gratifying by contrasting the present circumstances of the Royal Family with those which were the main cause of Her Majesty's absence last year. A Member of Her Majesty's Family was only then beginning to recover from a dangerous illness—I am happy to say that Prince Leopold is now entirely re-established in health.

My Lords, I will now proceed to make a few observations on the topics adverted to in the Speech from the Throne: but, before doing so, I will bespeak an exercise of that indulgence which your Lordships are accustomed to extend to noble Lords in my position. Her Majesty's most gracious Speech commences with a reference to Foreign Affairs. Intelligence of those affairs is always important, but it will be received on this occasion with special interest. The state of our foreign relations has been, perhaps, the most prominent subject in the public mind during the Recess, and it is therefore most satisfactory to hear that our relations with Foreign Powers continue to be of the most cordial character. It will be in the recollection of your Lordships that some time ago a revolt broke out in Bosnia and Herzegovina. That revolt was at first of small proportions; but it gradually gained strength, partly because of the inefficiency of the armed forces of Turkey, and partly from the financial collapse of the Turkish Government. Under those circumstances intervention on the part of the Powers of Europe was deemed expedient—indeed, became inevitable; and if there must be interference—for that is the proper word—it was clear that such interference must, in the natural course of things, emanate from Austria, because the frontier territory of Austria in the neighbourhood of the disturbed Provinces being inhabited by an excitable people, was endangered by the hostile operations in its neighbourhood. I believe that the conduct of Austria in this matter has been characterized by energy, temperance, and discretion; and the course which has been taken by Her Majesty's Government in reference to that action will, I think, meet with general approval. In the Speech from the Throne, Her Majesty says—

> "I have considered it my duty not to stand aloof from the efforts now being made by allied and friendly Governments to bring about a pacification of the disturbed districts."

That is an attitude of a kind which does not unduly commit this country to any definite line of future policy. It requires but little reflection to show that had any other course been adopted grave difficulties might have ensued. Had this country stood aloof from all representations made to Turkey, we might have been accused of an indifference which savoured of cowardice. On the other hand, if the alternative of that course had been adopted—had this country recommended Turkey to concede what was asked by the other Powers, a responsibility might have attached to this country which would have been unnecessary and which certainly would not have been desirable. I think there is strong reason to hope that what has been done by England and the other Powers will lead to peace in the disturbed Provinces and to the establishment of religious toleration for the Christians who inhabit them.

My Lords, the next reference in the Royal Speech is to another topic of much importance and one which has excited much public interest. It will be remembered that two years ago much interest was felt in reference to the position of this country in regard to the Suez Canal, and it was the subject of a discussion in your Lordships' House. On that occasion the noble Earl the Secretary for Foreign Affairs said that there was no opportunity of acquiring the Canal from M. Lesseps and the shareholders. But in the course of the last autumn, owing to the financial embarrassments of the Viceroy of Egypt, circumstances were altered, and an opportunity did present itself by which England was enabled to acquire a definite and tangible position in respect of the undertaking. It must be acknowledged that it was not a satisfactory state of things that while England contributed three-quarters of the entire traffic of the Canal she should have no voice in the management of the Canal except what she might be supposed to derive from vague claims and indirect interests, Now, however, this country is in a position to represent one-half of the proprietary interest. The opportunity for attaining that desirable end arose with some suddenness, and it had to be at once seized or allowed to pass. As your Lordships are aware it was not allowed to pass, and I believe the opinion of Parliament and the country to be that the conduct of the Government in this matter has been characterized by energy, by diligence, and promptitude. The Papers on the subject will be laid before Parliament, and I venture to think that the action of Her Majesty's Government will be endorsed by Parliament as thoroughly as it has been approved by the country. Your Lordships will observe that while acting with decision for themselves, Her Majesty's Government have duly respected the constitutional forms and rights of Parliament, in accordance with which both Houses will be afforded an opportunity of expressing their judgment on the matter.

My Lords, the paragraph in the Royal Speech having reference to the affairs of China and to the expedition sent from Burmah to the Western Provinces of China will be welcome to all who remember the threatening aspect of affairs in that quarter at the end of last Session. The murder of Mr. Margary will be made the subject of grave inquiry, and there can be no doubt that it will not be allowed to drop before satisfaction has been received, and reparation made for the atrocious assault made upon our Envoy last year.

My Lords, I am sure that the passage of the Speech which refers to the success of the visit of His Royal Highness the Prince of Wales to India will meet with a loyal response. It is a cause of thankfulness that the health of His Royal Highness has been preserved, notwithstanding the trying climate of India and the energy which has characterized the movements of the Prince during his tour.

I now come to a subject which has excited the public mind very much during the Vacation, and respecting which much misapprehension—or rather, I should say, uncertainty—still prevails. When I speak of uncertainty in connection with Slavery, your Lordships will understand me as confining myself to the legal aspect of the question. As to Slavery and the Slave Trade, the attitude of the country has long been fixed and certain, and the attitude of the Government in respect of both is also fixed; but there is uncertainty as regards the legal aspect of the question, which it is well should be ascertained and settled in a positive manner, and I am sure your Lordships will concur with me in thinking that the Government have done well to refer that part of the question to the careful consideration of a Royal Commission. It would indeed be strange that anyone should suppose that on the question of Slavery itself there is any uncertainty in the minds of a Government which has concluded a treaty with the Seyyid of Zanzibar that promises to result in the complete extinction of slavery within the territories of that Potentate, and which has brought about the annexation of Fiji—one of the objects of this annexation being the suppression of a species of slavery which existed in those parts.

Her Majesty's gracious Speech next refers to the Conference with respect to the Confederation of the South African Colonies. There is much reason to hope that what has been proposed by the Government will have the effect of placing on a better basis the relations of the several races which inhabit those regions.

My Lords, it is a matter for congratulation that the outbreak in the Malay Peninsula seems to have been effectually quelled.

Among the subjects on which legislation is promised in Her Majesty's Speech, one of the most important is that of the Merchant Shipping Laws. Scarcely a Session has passed within the last 30 or 40 years without some legislation on that subject. The measure passed last Session was admittedly a temporary one; but it affords a basis for satisfactory legislation of a permanent character, and the present time is one eminently favourable for satisfactory legislation. There has been time for the various interests concerned to consider the matter with calmness, and your Lordships will all agree that it would be impossible that any permanent legislation on the subject could be satisfactory if it did not, to some extent at least, receive the co-operation of all the interests involved in such legislation. It will not appear surprising that some difficulty should be felt in dealing with the question if we consider what has been the advance of our shipping trade. From the Board of Trade Returns I find that in 1846 the British vessels engaged in the foreign trade amounted to about 6,000,000 of tons, and that in 1874 they amounted to 30,000,000 of tons. These are exclusive of the British ships engaged in the coasting trade. My Lords, in speaking on this subject, it is impossible not to refer to the zeal shown by an individual in the cause of our seafaring men. I believe that even those who hold that the figures and allegations of fact brought forward by Mr. Plimsoll are not borne out by the facts of the case, are not disposed to deny to that Gentleman a grateful recognition for having kept alive the question, and having brought forward circumstances of much importance in connection with a discussion of our Shipping Laws.

Coming to the paragraph in the Royal Speech which has reference to Education, I will remind your Lordships that the legislative changes already brought about with respect to our Universities have been carried out by the authorities, and it cannot be doubted that whatever further changes Parliament may think it necessary to make, if conceived in a moderate spirit, will be favourably received, and will be carried out in the best manner possible. As regards Primary Education—a subject which in recent Sessions has been much discussed by both Houses of Parliament—I have only to observe that your Lordships will see with satisfaction that Her Majesty's Government have lost no time in the endeavour to complete the legislation already in operation on that important matter.

The Inclosure of Commons unquestionably is a matter which demands the attention of Parliament. It appears that some machinery is necessary; but I feel sure that the Government do not intend any interference with the local management of commons, which for many reasons must be the best.

Any measure for promoting economy and efficiency in the management of Prisons, and at the same time effecting a relief of Local Burdens, must, I presume, be of a financial character, and will, therefore, be dealt with mainly in the other House of Parliament; and, consequently, I will do no more than call the attention of your Lordships to the fact that these subjects have not been forgotten in the Queen's Speech. Experience has shown that successive Governments find the greatest difficulty in passing all the measures proposed for the Session in the Speech from the Throne. For that reason it appears to me that one of the most satisfactory features of the Speech addressed to Parliament to-day is that it does not promise too many measures; but if the measures which it does promise are passed in the present Session, then the time of Parliament will have been well spent.

My Lords, I will conclude by moving that an humble Address be presented to Her Majesty, thanking Her Majesty for Her Majesty's most Gracious Speech from the Throne, as follows:—

Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the most gracious Speech which Your Majesty has addressed to both Houses of Parliament.

"We humbly thank Your Majesty for informing us that Your Majesty's relations with all Foreign Powers continue to be of a cordial character.

"We humbly thank Your Majesty for informing us that Your Majesty has considered it your duty not to stand aloof from the efforts now being made by allied and friendly Governments to bring about a pacification of the disturbed districts of Bosnia and Herzegovina; and that Your Majesty has accordingly, while respecting the independence of the Porte, joined in urging on the Sultan the expediency of adopting such measures of administrative reform as may remove all reasonable cause of discontent on the part of his Christian subjects.

"We humbly thank Your Majesty for informing us that Your Majesty has agreed to purchase, subject to the sanction of Parliament, the shares which belonged to the Khedive of Egypt in the Suez Canal.

"We humbly thank Your Majesty for informing us that the representations which Your Majesty addressed to the Chinese Government, as to the attack made in the course of last year on the Expedition sent from Burmah to the Western Provinces of China, have been received in a friendly spirit, and that the circumstances of that lamentable outrage are now the subject of an inquiry.

"We rejoice to learn that His Royal Highness the Prince of Wales has enjoyed uninterrupted health during his journey through India; and that the hearty affection with which he has been received by Your Majesty's Indian subjects is an assurance to Your Majesty that they are happy under Your Majesty's rule, and loyal to Your throne.

"We humbly thank Your Majesty for reminding us that at the time that the direct Government of Your Majesty's Indian Empire was transferred to the Crown, no formal addition was made to the style and titles of the Sovereign, and we rejoice to learn that Your Majesty deems the present a fitting opportunity for supplying this omission.

"We humbly thank Your Majesty for informing us that Your Majesty has given directions for the issue of a Royal Commission to inquire into all Treaty engagements and other International obligations bearing upon the subject of the Slave Trade, and the action of British national ships in territorial waters of Foreign States, with a view to ascertain whether any steps ought to be taken to secure for Your Majesty's ships and their Commanders abroad greater power for the maintenance of the right of personal liberty.

"We humbly thank Your Majesty for informing us that a Bill will be laid before us for punishing Slave Traders who are the subjects of native Indian Princes.

"We rejoice to learn that the general prosperity of Your Majesty's Colonial Empire has continued to advance.

"We join with Your Majesty in trusting that the operations conducted by Your Majesty's troops in Malay have restored order and re-established the just influence and authority of this country.

"We humbly assure Your Majesty that our careful consideration shall be given to the measures which may be submitted to us, and that we earnestly join in Your Majesty's prayer that our deliberations may, under the Divine blessing, result in the happiness and contentment of Your Majesty's people."

THE EARL OF ELLESMERE — My Lords, in seconding the Motion of my noble Friend who has just sat down, I have in the first place to solicit the indulgence of your Lordships on this my first occasion of addressing you. My Lords, it gives me great pleasure to commence my observations by joining with my noble Friend the Mover of this Address, in expressing satisfaction that Her Majesty has been able to come down and in person to open this Session of Parliament. I think that perhaps the most important part of the Speech from the Throne is that relating to the insurrection in Bosnia and Herzegovina. It seems to me to threaten the gravest results. It must be remembered that the state of things as regards the East is very different in 1876 from what it was in 1853 and 1854, when disturbances in the Northern parts of Turkey were raging. At that time Russia was adopting a policy of her own. Now, when an insurrection in Bosnia and Herzegovina has arisen, Austria, to whose Government the insurrection is naturally the cause of great uneasiness, has come forward and, acting in concert with Russia and with the German Empire, which did not exist in 1854, has recommended to the Porte measures calculated to restore peace in the disturbed Provinces. To that diplomatic movement Her Majesty's Government have given their assistance, and the reply given by the Porte is a sufficient answer to those who said that Her Majesty's Government should have held aloof. As to the purchase of the shares of the Suez Canal, the proceeding of Her Majesty's Government is so exceptional in its nature, that without hearing an explanation of all the circumstances attending that course of action, it would be hardly proper to offer any opinion at all; but, as has been pointed out by the noble Earl who moved the Address, this is not the first occasion on which the question has arisen of England obtaining an influence in the management of the Canal by the purchase of shares. The noble Earl has also pointed out that if Her Majesty's Government had not purchased at once, when the opportunity arose, that opportunity would have quickly passed away—the Khedive would soon have found ready purchasers for those shares. As regards the paragraph in the Royal Speech having reference to China, our diplomatic proceedings in relation to the event alluded to in that paragraph have been perfectly successful, and have given one further proof that England is always ready and willing to defend British subjects, and demand reparation for wrongs inflicted upon them, and if the expedition now on the way to Yunan should be finally successful, I think the prestige of England in those regions will be materially increased. If the news I read the other day be true—namely, that the Chinese official in the Province where Mr. Margary had been murdered is recalled—it will show that the Chinese Government is inclined to do justice in the case. It must be a source of gratification to every one that the visit to India of His Royal Highness the Prince of Wales has been a marked success, and that the health of His Royal Highness has not suffered from the trying duties which he has performed in such a climate. The outbursts of loyalty with which the Prince has been greeted in all parts of India which he has visited are in the highest degree satisfactory, and now this country awaits the return of His Royal Highness in unimpaired health and with increased knowledge of the great Empire over which at a future day—may that day be distant—he will be called upon to rule. My Lords, I will not enter into the question of the Slave Circular, because the whole subject is to be investigated by a Royal Commission. I will merely observe that the actual state of the law is to be regarded as most unsatisfactory and ambiguous, and that therefore it is easy to understand that at times the position of naval commanders must be a very difficult one. It will be an advantage to have a uniform method laid down for dealing with fugitive slaves—regard being, of course, had to exceptional cases. I will not anticipate what may be the conclusions of the Royal Commission, but it would be absurd to suppose that in this year of 1876 any Englishman can have a bias in favour of Slavery. As regards the South African Colonies, I will only allude to the affairs of Natal, and only to say that it was natural that the Government of this country after a disturbance had been put down in a colony should recommend measures to prevent a recurrence of such a misfortune, and that some uniform principle should be laid down for dealing with the Native tribes. The first proposition of the noble Earl the Secretary for the Colonies did not meet with the approval of all the statesmen of the South African Colonies; but I think that, on reflection, they will see that it would be attended with great advantages even if they did not see all the benefits which were likely to arise from the Confederation. The Royal Speech promises a Bill for regulating the Ultimate Tribunal of Appeal. That is a rather abstruse question, and your Lordships will pardon me for not going into it; but as to the Bill which we are promised for the amendment of the Merchant Shipping Law, I may refer to the fact that on receiving a deputation which waited on him a few days ago, the First Lord of the Treasury said Her Majesty's Government were determined that another Session should not pass without legislation on the subject, and this declaration will, I think, be received with satisfaction by your Lordships and the country. As to Education, I may be allowed to express a hope that any measure introduced by the Government for the purpose of effecting changes in the Universities will be Conservative in its spirit—that it will aid the progress of University education without destroying the character and ruining the prestige of the Universities. I presume that any measure having reference to Primary Education will follow on the lines laid down in 1870. I am aware that School Boards are unpopular with some persons; but I believe that time and a further experience of the Act of 1870 will do much to remove acerbities now existing. With regard to the Inclosure of Commons, legislation is necessary; but I hope that no Bill will pass which will deprive the people of open spaces desirable for their health and recreation. My Lords, I will conclude by seconding the Motion for the Address. [See Page 12].

EARL GRANVILLE: My Lords—Both my noble Friends—the noble Earl who moved and the noble Earl who seconded the Address—have made allusion to the indulgence which Peers in their position usually receive from your Lordships' House on occasions like the present. I venture to think that it has been a source of great satisfaction to this House, and very creditable to it, that for many years successive Governments have selected noble Lords not of advanced age or of great experience in debate who have been able, with very great distinction, to do what, in my opinion, are two of the most difficult things in the world—to move and second the Address in answer to the Speech from the Throne. With regard to the noble Earl who moved the Address on this occasion, I must say that I feel the satisfaction which I am sure all your Lordships feel at seeing him perform such a duty in a House in which his grandfather occupied such a distinguished position. This House will sincerely join in the satisfaction expressed both by the noble Earl who moved the Address and by my noble Relative who seconded it at the fact that Her Majesty has been able to appear on the Throne this day to open in person this Session of Parliament. The speeches of my noble Friends were highly creditable to them; but I remarked that in regard to some of the subjects mentioned in the Speech from the Throne both the noble Earls summed up their observations very briefly. Both noble Earls seemed anxious to avoid any allusion to the Bill for regulating the Ultimate Tribunal of Appeal. Well, there are some things over which it is better to throw a veil, and perhaps the noble Earls thought that this was one of them. Again, my Lords, it occurred to me as I heard the enumeration of those measures that there were some rather remarkable omissions from the Speech of to-day. Last year, to judge by the Speech from the Throne at the commencement of the Session, the Public Health was an object of greatest solicitude to Her Majesty's Government; but in the Speech from the Throne to-day there was no mention whatever of a question which had been in former years an object of such anxious solicitude. I hope I may infer that the public health is now in a satisfactory state, seeing that there is a most remarkable silence on the part of the Government in reference to their once favourite topic. Even the Pollution of Rivers Bill of the noble Marquess (the Marquess of Salisbury) finds no place in the Speech now before your Lordships' House. With regard to Education, I am glad the Government are applying themselves to that subject, and I shall await with anxiety the measures which they intend to introduce with reference to the Universities and to the Primary Education of the country—because I venture to think it will require all that skilful management in which my noble Friend the Lord President of the Council is so successful to enable him to reconcile the conflicting views of his Colleagues on the subject of Primary Education. The Home Secretary is said to be the friend of compulsory education; while, as I understand, the Prime Minister, in his private capacity, joined a majority to prevent the only means that was suggested of carrying out the Agricultural Education Act from being adopted in Buckinghamshire. I will reserve my judgment on the question until I see the Bill. I think the Bills which have been brought to our notice to-night are Bills of the greatest importance, and worthy of the greatest consideration on the part of your Lordships. I recollect hearing of a gentleman who said to an author that the pleasure he enjoyed in reading his books was equal to the pleasure he enjoyed in receiving them—which was not much; but I have no hesitation in saying that if the bill of fare presented to Parliament by Her Majesty's Government this Session be carried out in well-considered measures, and are steadfastly carried through Parliament, it will give satisfaction to Parliament and to the country at large. My Lords, there is one subject not referred to in the Speech from the Throne, but I cannot help alluding to it shortly, because it has occupied the attention of the public mind very much during the Recess. I mean the state of the Navy and the administration of the Admiralty. Serious charges—charges which would appear to be difficult to be answered—have been brought against the administration of the First Lord of the Admiralty. Now, those charges have undoubtedly received increased strength by the Fugitive Slave Circular. The accusation against the right hon. Gentleman based on that Circular is certainly undeserved: and I think it only right to point out that there are questions involved which are not merely of a departmental nature, and that, as the noble Earl opposite knows, the First Lord is not responsible for questions of that character. It is quite clear that my noble Friend the Secretary for Foreign Affairs is responsible for that Circular, and that the First Lord of the Admiralty is not responsible for it. There are, however, other charges against the First Lord; but he has reserved his defence for his place in Parliament, and that being so, I think it is more becoming for me to await that defence before making any observation on those subjects. There are in your Lordships' House the Lord Privy Seal and other noble Lords who, no doubt, will be quite ready to defend him; but, as there will be a more fitting opportunity for entering on a discussion of these charges, I shall make no further allusion to them on this occasion. My Lords, there is a topic which, of necessity, has been brought prominently before your Lordships in Her Majesty's Speech; and here again I must give due credit for what I thought the appropriate manner in which the noble Earl, the Seconder of the Address, spoke of the triumphant and successful progress of the Prince of Wales in India, and the good results which are likely to follow from his journey through that Empire. It must certainly have been a great satisfaction to Government to be able to give in the Speech from the Throne a confirmation of the general impressions of the country of the affection and respect with which His Royal Highness has been received in India. In Her Majesty's Speech it was observed—

> "At the time that the direct Government of my Indian Empire was transferred to the Crown, no formal addition was made to the style and titles of the Sovereign. I have deemed the present a fitting opportunity for supplying this omission, and a Bill upon the subject will be presented to you."

I infer from that passage in the Speech that Her Majesty thinks it desirable to move in this matter, from considerations of the effect of such movement on the Native population, in connection with the visit of the Prince of Wales to that country. My Lords, I venture to say that, in regard of the dignity of Her Majesty herself, no name can appeal to the imagination so forcibly as that of Victoria, Queen of Great Britain and Ireland. My Lords, the noble Earls who moved and seconded the Address referred, in complimentary terms, to the administration of the Colonies. No doubt the administration of the Colonies has been viewed with favour by the country at large; but even on the Sun there are spots, and perhaps the noble Earl (the Earl of Carnarvon) will forgive me if I touch upon some of the spots of his administration. The Prime Minister, at the Mansion House some time ago, with that desire to render compliments to his Colleagues which so frequently characterizes his allusions to them, went a little beyond the ground on which he was standing, and spoke of the Confederation of the South African Colonies, remarking at the same time, that the Confederation of the North American Provinces was due to the Members of the present Government. I thought that the person who possessed sufficiently large and comprehensive views of Colonial policy to carry out a scheme of this kind was my noble Friend (the Earl of Kimberley), who now sits behind me. I am certain the noble Earl (the Earl of Carnarvon) will admit that the real work of the Confederation of North America was done in the time of my noble Friend, who afforded his sanction and encouragement to that measure, and during whose term of office that celebrated agreement was carried into effect in Canada, and also, I think, in Nova Scotia. The noble Earl, no doubt, deserves great credit for the manner in which he took up the questions that were left to his hands, and it must have been with great satisfaction that he applied himself to the introduction and passing through Parliament the Imperial Act that was to carry that Confederation into effect. Several questions were, however, left behind—questions not altogether easy of solution—the purchase of the Hudson's Bay Territory, the question of the Vancouver Territory, and also of Prince Edward's Island, which, under my noble Friend, joined that Confederation. I am afraid that there is at this moment the question of Newfoundland and its fisheries, which still remains open, and is not very easy of settlement. I said there were spots on the Sun, and with all the noble Earl's ability, industry, and patriotism, if he has a defect it is, perhaps, that he is so desirous to promote a policy that finds acceptance and which is desirable in itself, that he is a little too anxious to publish his opinions, and does not take quite sufficient care to mature his plans so as to bring them to the most favourable issue. When the noble Earl introduced a new policy for the administration of the affairs of the Natives of Natal it certainly did strike me that it was an imprudent thing to publish a despatch which was sure to be translated in the colony, and which described the position of the Chiefs and Natives. The noble Earl, after describing the enthusiastic devotion of the Natives towards their Chiefs, went on to state that it was desirable to diminish that attachment and to detach the Natives from the Chiefs. That was not, I think, a prudent declaration, when you consider the influence of the Chiefs and the inexhaustible number of Natives with whom you have to deal in Natal. In the same way the noble Earl undertook a measure which I believe to be of the greatest importance, and which I hope he will be able to carry through—for it is a measure which will do him great credit—I mean the Confederation to which Mr. Disraeli alluded. That is a proposal of the greatest importance and advantage; but the noble Earl directed the immediate publication of a despatch containing errors which he was afterwards obliged to retract—errors which might have been corrected by a little more communication with the Governor of the Colony and the local authorities.

THE EARL OF CARNARVON: I beg the noble Earl's pardon. I am not aware that I have retracted any errors.

EARL GRANVILLE: At any rate the noble Earl used language which, justly or unjustly, was sure to be irritating to certain persons belonging to the Colonial Government, and there can be no doubt that the noble Earl did afterwards withdraw the names of those particular persons. There is also another point connected with this Confederation, upon which the Government will be required to give explanations. I should desire to know what is the exact position of a very eminent man, of great intellectual powers—Mr. Froude—who was sent to that colony by the Colonial Office. We shall also require to know what are the conditions under which he has acted, and whether it is true that—after the noble Earl himself had laid down in the clearest manner the constitutional relations between the Home Government and the Colonial Government—the Delegate, or the Commissioner, or whatever post Mr. Froude occupied, absolutely "stumped" the colony at meetings of the most hostile character to the existing Government of the colony. I shall be curious to know whether that conduct has been approved or disapproved by the noble Earl. I do not see why because a colony having representative institutions is small, you should not be as punctilious in your relations with it as you would be with the largest of your colonies. I now approach the subject of Foreign Affairs. I have been now for some time in Parliament, and I cannot reproach myself with ever having intentionally said anything to embarrass a Secretary of State, whoever he might be, in his negotiations or relations with foreign Governments, and I feel that such a course is perfectly consistent with the freest discussion of Foreign Affairs in Parliament. I am bound to say that during the first 18 months of the present Administration it would have been very difficult for me or any of my friends to attack the Foreign Minister. There was no question of very great importance going on, and, as far as I know, no mistakes were made by the noble Earl. I am not sure there were not a few people in the country who regretted that the noble Earl (the Earl of Derby) did not do anything a little foolish and a little sensational. But the case is different now. At the present moment—during the Recess—three questions have arisen which have in an extraordinary degree occupied the public mind. As to one the country has waited with prudent reticence to hear the statement which will be made by the Government in Parliament, and has abstained from prejudicing the question one way or the other. I refer to the complications which have been referred to by the Mover and Seconder of the Address as having arisen in consequence of the insurrection in Herzegovina, and also to the concluding act of the Government in joining in the Andrassy Note to the Government of Constantinople. If I remember right, in October last the noble Earl the Secretary of State for Foreign Affairs, when he spoke at Liverpool, treated the matter very lightly, and expressed his belief that we should hear little more about it. He also expressed his conviction as to the readiness of the Porte to do what was right in regard to the Christian subjects of the Sultan; and he pointed out with excellent judgment some of the difficulties that attended the question. A month later the Prime Minister, speaking at the Mansion House, was obliged to take a much graver view of the insurrection: and the noble Earl himself a month afterwards naturally took a graver view of the insurrection than he had done before. He said he might be thought a dupe, but he certainly thought that the other Powers were in earnest in co-operating for the peaceful settlement of the question. I am not one of those who think that the noble Earl was a dupe in entertaining that belief. I think he was right in that belief, which was based on the great interests which the different Powers have in the peaceful settlement of the question. If all those Powers had the same views or interests the matter might be serious; but any statesman, however bold, would hesitate to incur the responsibility of breaking up the Ottoman Empire, and dealing with the Mussulman and Christian populations of the Sultan. No doubt there must be differences of opinion and separate views and interests among the Great Powers, and I think that was a sufficient reason for the noble Earl's belief in a moderate settlement of the matters in question. The question for the public is threefold. Austria would naturally take the initiative in these representations to the Porte. I do not in the slightest degree object to that; but what the House will wish to know is whether we took any part in the negotiations that led the three Powers to frame the Note, or whether we were only consulted by the three Powers when the Note was settled. The next question, of the greatest importance, is, whether the Treaty does or does not infringe the provisions of the Treaty of 1856 as revised in 1871?

The Earl of DERBY said, that the noble Earl had spoken of the Note by mistake as a Treaty.

Earl GRANVILLE: What I want to know is whether the presentation of the Note affected in any way the Treaty of 1856 and the revised Treaty of 1871? Now, I apprehend that any effect of that kind would depend upon Article 7 and Article 9 of the Treaty of 1856—the first of those Articles securing the independence of the Ottoman Empire and the latter referring to the spontaneous promises of the Sultan to grant certain rights to his Christian subjects. It is very important to know whether the mode in which the Note was presented was calculated to infringe upon those Articles. Subject to that reservation, I venture to express the opinion that there has been no infringement in what we have learnt has been done, and neither Lord Palmerston nor Lord Clarendon ever considered that the Treaty precluded us from attempting, in common with other Powers, to obtain from the Porte the fulfilment of the promises which it admitted were embodied in that Treaty. If the Government have no statement to make on this point so much the better; and if they decline to speak on matters of so delicate a character, I am not the person to press them to do what may be inconvenient or disadvantageous. I now refer to another subject which has awakened very general interest in the public mind—the purchase of the Suez Canal shares. I must say that I think it very creditable to the impulses and instincts of the people of this country that they have received the announcement of the three matters of which I am speaking in the way they have done. That of the Suez Canal purchase was received with very general approbation, which I am not sure has not diminished to some extent. I think the history of the Canal is one of the most extraordinary illustrations it is possible to imagine of the French proverb—Man proposes and God disposes. We all remember how Lord Palmerston opposed the Canal. With regard to the engineering mistake, that could hardly be imputed to him, for he spoke on the engineering authority of this country; and, as regards his financial prophecies, I can only hope that they may be equally falsified, though it can hardly be said they have been up to the present moment. There can be no doubt that the reasons which influenced him were of the most purely patriotic character, and that he was entirely carried away by very much the same sort of considerations as I believe influenced Napoleon III. and the French in their great anxiety to promote the scheme. But one effect of Lord Palmerston's opposition, whatever other effects it may have had, was to excite a strong feeling in France. I do not know how far it diminished the investments of English capital in the Canal—but I generally find that British capitalists are extremely apt to look after their own affairs and to think they know better than official gentlemen. At all events, Lord Palmerston's opposition was the cause of M. Lesseps' getting funds in France. Mr. Senior, in his amusing Journal, tells us that there was no shopkeeper in Paris who did not buy a share to have his revenge on those English; and M. Lesseps tells of a gentleman who came to him for shares in a railway in the island of Sweden, to whom M. Lesseps replied—"It is not a railway, it is not an island, it is not Sweden; but it is a canal, it is an isthmus, and it is Suez." "Never mind," said this enthusiastic gentleman, "it is to spite the English, and it is all the same." The French people who thus laid down their money, and who have been out of it all this time, have certainly conferred great benefits on this country. The question of England acquiring some interest in the Canal was not entirely dormant during the administration of the late Government. M. Lesseps came to this country, and it was generally considered a grateful tribute to the ability with which he had carried out an enterprise so beneficial to this country when the Queen presented to him one of the highest of our Orders. Proposals were at that time made to our capitalists and suggestions were made by our Consul General in Egypt and by English gentlemen connected with the Suez Canal; but none of those proposals were in the slightest degree definite enough to call upon the Government to regard the matter, as they otherwise would have done, as one for very grave consideration. The Prime Minister authorized Mr. Lefevre, the Secretary to the Board of Trade, to see M. Lesseps and to obtain the data on which any proposal should be made. Mr. Lefevre and M. Lesseps met several times; and at the last interview M. Lesseps told Mr. Lefevre that though he had powers to enter into arrangements with the English Government, it must be a *sine quâ non* that the control and direction of the Canal must remain with himself and the French Council; and that I own made it unnecessary to go further into the matter. I think it would be a great mistake to go into any serious discussion of the purchase of the shares, as we have not the Papers before us; but I may be allowed to point out one or two matters which we may at once dispose of, and which need not impede the progress of the serious discussion when it comes on. Praise and blame have been bestowed on the Government, neither of which I think is of great importance. It has been said that things had not gone well with the Government in the last Session, and that they had got into some scrapes during the Recess, and that by this transaction they hoped to divert public attention from their misfortunes, and to turn it into other channels. Now, I wish to state that—whether this purchase strengthens or weakens our position in time of peace or in time of war—whether it is wise or unwise—I have not the slightest doubt Her Majesty's Government went into the matter with the single-minded view to the maintenance of our most important line of communication with India. Again, it has been said—and it was intended to be complimentary—that this was the beginning of a new, great, comprehensive, and spirited foreign policy; that the Government wished to obtain a protectorate over Egypt, and that they wished to depart from our traditional policy on the Eastern Question. But the noble Earl the Foreign Secretary repudiated, on the part of Her Majesty's Government, any intention of the sort. This was not only an honest and sensible thing to do, but it required some moral courage on his part entirely to throw away this oriel glory. But if the noble Earl would decline to accept the exalted position of Chatham, some of his friends thought it complimentary to represent him as the most accomplished disciple of Machiavelli, and to suggest that his real object was that which he disavowed: but if he really desired to obtain Egypt, the noble Earl would have been more skilful had he held his tongue until the proper moment had arrived. I must say the noble Earl held very proud and proper language at Edinburgh, when he said—"We have said what we want, and why we want it, and Europe is accustomed to believe what we say." It is a proud boast, and I believe he was entitled to use it. We are occasionally abused abroad—sometimes with justice, sometimes without; but I do believe our reputation for truthfulness stands very high indeed, and I cannot imagine anything more injurious to our influence for good than that either opponents or friends should suspect that Her Majesty's Government would hold, directly or indirectly, language which would have the effect of throwing doubts over the plainest assertion of the Foreign Secretary, and make it believed abroad that his character, his position, and his powers of clear expression were intended to be used only to conceal his thoughts. There is another point on which I wish to make a remark. At the outset, when the purchase was first announced, it was said it was a good commercial transaction, and I think the noble Earl assured us we should never lose a penny by it; since then various statements and counter-statements have been made by persons of authority. I am inclined to doubt whether good commercial transactions are ever conducted in a hurry, and I conceive some explanation is necessary when the transaction is the purchase of a long reversion at a price above the market value. I do not know whether it has ever happened to any of your Lordships to have dealings of that kind; but I have often heard that when in such a case a person proposed to take time to consider in order to ascertain something about the value of the security, the ready answer always was, "for God's sake don't; there is an old lady round the corner who is quite determined to have it, and I cannot disappoint the old lady, if you don't have it." But I believe it is generally found afterwards that the article is not quite so valuable as it was represented to be. But there is another thing which one can hardly conceive—namely, the lending of money at £5 per cent to one who borrows in the market at £9 per cent. My own inclination is to believe that, as a commercial speculation, the purchase of these shares was not a good one: but I shall be content to rely entirely on the statements which, I trust, the Government will be able to lay before Parliament. But even if they can prove that it is an excellent speculation that of itself will not justify them in what they have done; and, on the other hand, if its opponents prove that the speculation was unprofitable, I say that is by no means fatal to the wisdom of the act. The question really turns on this—whether the step was taken with reference to any well understood measure of policy—upon that it must float or sink. I will not argue the case one way or another. I should, however, like to know whether at the time of this purchase the Government were acquainted with the constitution of the Company and the amount of influence which the possession of these shares would command—whether the shares were purchased as a means of obtaining an effectual control over the management of the Canal—whether they knew that however large the number of shares they bought, they would have only a certain limited number of votes; and whether they knew that M. Lesseps had secured to himself the permanent management of the Canal for a certain number of years? I should also like to know, while the Canal has been in the possession of a French Company, what amount of practical inconvenience up to this time has been suffered by commerce, and whether in time of peace the Government without the possession of these shares would not have sufficient influence to prevent inconvenience to commerce? In case of disputes among the shareholders themselves, I want to know whether the course taken by the Government would in any way increase or diminish that influence? I should like also to know whether the possession of these shares in respect of which they can derive no pecuniary interest for 19 years can in time of war protect our road to India, further than our influence in having the immense share as customers of the Canal and more than the maritime supremacy of England? These are the points on which I want to hear what can be stated by the Government. There is one point connected with this, whether the purchase was right or wrong—whether Parliament should meet only this day instead of in December. My own opinion is that, considering that it involved a loan from Messrs. Rothschild of £4,000,000—a transaction of a new and unusual character—the Government was wrong in not calling Parliament together in December. It is unwise to create a new precedent in a doubtful matter. Lord Melbourne had a maxim which I think was a very sound one—that when the Government had anything doubtful to do the quicker they were in calling Parliament together to share the responsibility the better. I quite share that opinion; and therefore when I find that Her Majesty's Government did not call Parliament together, I cannot help thinking that the Government in this case have acted as if they had no information which would stand Parliamentary investigation; and that it was more convenient for them to wait two months in order to get that information. This brings me to another point on which I should like information—I mean the mission of Mr. Cave. I do not know that that mission has anything to do with these Canal shares; but I am curious to know in what capacity Mr. Cave has gone out, and for what purpose. I feel curious to know whether the Khedive applied, as he has done before, for the assistance of some Englishman of high character to advise him, or under what inducement Her Majesty's Government sent out, with very considerable ostentation, their Paymaster General, accompanied with officials of other Departments. I should like to know what instructions were given to Mr. Cave. Was he sent out solely to ascertain the value of these shares, or to go into the whole finances of the Khedive? Of one thing there can be no doubt—the moral effect of the interference of the Government with the finances of that country. The natural result is that people believe that the Government in some way or other have taken the management of the finances of Egypt, and that people have been "bearing" and "bulling" large sums, and all in consequence of this ostentatious commission, which was certainly of a very unusual character, and which will require a great deal of explanation to reconcile it to your Lordships. I come now to refer to another matter which aroused a spirit of, I may say, indignation throughout the country—I mean the famous Fugitive Slave Circular. The excitement which it caused was great, not only among Liberal Members but among Conservative Members. Even the Chancellor of the Exchequer, forgetting his official prudence, denounced it in a speech, which was reported in all the newspapers next day, in which he altogether repudiated the Circular, and said he did not know what it meant or who was responsible for it. Mr. Cave, the Paymaster General—a most loyal Colleague—said it was no doubt a blunder, but a blunder committed during the Recess and in the absence of the chief of the Department. Now, I believe Mr. Cave is a very good man of business, but I do trust he will be a little more accurate in getting up his facts about the finances of Egypt than he was about this Circular. The noble Earl the Minister for Foreign Affairs was the first who dealt with the Circular, and he put the case very briefly and with his usual judgment. He said it was issued on the advice of the highest legal authorities. These must be the Law Officers of the Crown, or perhaps the noble and learned Lord on the Woolsack himself. Now, if there was any doubt as to the law, the position was no doubt a difficult one: and yet in the second Circular you unfortunately retained the principle of that policy which, rightly or wrongly, was condemned almost universally by the country. Now, at a later period, two Members of the Government based their defence of the Circular upon precedents said to have been afforded by the late Government. All I can say in reply to that is, that as far as I myself am concerned, it has never been my duty, as a Minister of the Crown, to criticize slave circulars. I will go further, and say that I do not think the subject of a slave circular was ever mooted in any Cabinet with which I had the honour to be connected. There was certainly a letter issued by Lord Clarendon on the subject, which to some extent might be regarded as in some degree favouring the tone of the policy embodied in the second Circular of the present Government; but upon close examination I think your Lordships will agree with me that that similarity is rather scant, and that it does not really justify the course which has been taken. So far as I can see it is perfectly impossible for the Government to maintain their second Circular any more than they were able to maintain the first. I do not mean that the noble Earl could not justify it by "the first legal opinions" received in the beginning, and subsequently by the more matured opinion that he got. The noble Earl may attempt to justify it also by the precedents of former Governments; but I believe there was no Government of late years which ever dreamed of ordering the surrender of slaves who had taken refuge on our ships out of territorial waters. When you consider that up to the present time there has been such progress all over the world in the abolition of the Slave Trade, when you consider the excitement produced in the public mind—not only the lay mind, but the legal—and the discussions which have been advanced, and when you consider that upon the whole subject the greatest alarm has been felt on all sides, I believe it would be perfectly impossible for Her Majesty's Government to adhere to that Circular. Therefore I was prepared and not surprised at their having beat a retreat; but I confess I was not equally prepared for the mode of the retreat. Now, what is it? They have had recourse to their old friend a Royal Commission. It is their resource in all difficulties. If a cloud no bigger than a man's hand appears on the horizon, immediately a Royal Commission is sought for. And what is this Royal Commission to inquire into? We are told in the Speech from the Throne that it is—

> "To inquire into all Treaty engagements and other International obligations bearing upon this subject, and all instructions from time to time issued to my naval officers, with a view to ascertain whether any steps ought to be taken to secure for my ships and their Commanders abroad greater power for the maintenance of the right of personal liberty."

Well, these instructions are of two kinds. First of all, the Royal Commission is to collect information which I stake my credit could be obtained in one afternoon from a clerk in the Slave Trade Department and from the head of that Department. But it is to collect information. Well and good; but do your Lordships think that when the Government issued their first Circular they had not all the information at their command which they can possibly have now? They talk of precedents; but must not these precedents have been in their mind when they first undertook to deal with the question? To talk, therefore, of collecting information on such a subject by means of a Royal Commission is nothing more than a delusion and a sham. What, in short, has the Commission to do? Why, it has a much more important task than that of collecting information—it has to frame a policy for Her Majesty's Government. Well, speaking for myself I must say that I do not think the people of England will consent to this. They are powerful in both Houses of Parliament; they are powerful in the country: but depend upon it the feeling of the country on this subject is not to be trifled with. Lord Castlereagh once made a speech on the Slave Trade, and when he sat down Mr. Wilberforce rose and said—

> "I know the noble Lord, and I know he hates slavery; but if the noble Lord had been in favour of slavery, if he had been a promoter of the Slave Trade, I believe that this is exactly the speech which in that case he would have made."

Now, I know Her Majesty's Government. Nobody can have a doubt of their detestation of slavery; but I do feel strongly that in taking these means of evading the difficulty—in trying, as they are about to do, to throw the responsibility of their slavery legislation on the irresponsible shoulders of a Royal Commission—they are adopting a course which will induce the country to think that they are procrastinating on this question. This is no Party question. No Party has a right to arrogate to itself an exclusive interest in the abolition of slavery, or an exclusive interest in its detestation of slavery. It is a great national question; and I do trust that Her Majesty's Government will feel that by coming forward and taking upon themselves the responsibility of what is to be done, and not seeking to get quit of it by delegating it to a Royal Commission, they will be adopting the best and the surest course.

The Earl of DERBY: My Lords—I am sure your Lordships will not expect, and it certainly has not been the custom on former occasions of a similar kind, that I, or that any Member of the Government should enter into a full and detailed discussion of any one of the various subjects which are treated in the Speech from the Throne. There would be two obvious objections to such a course in the present instance—one that the Papers which relate to the various transactions, and on which your information will necessarily be for the most part based, are not yet in your Lordships' hands; and the second objection is that, owing to the multiplicity of the subjects mentioned, it would be impossible to deal exhaustively with any one of them in a consecutive and a continuous discussion. Not long ago a very eminent Member of the House of Commons—who was a sportsman as well as a statesman — likened a debate on the Address to a day's coursing where there were too many hares on the ground—you started a fresh hare every moment and caught none. I therefore propose now to touch only on a few of the main questions which have been indicated in the Speech from the Throne, and which have been referred to by the noble Earl opposite (Earl Granville). But before doing so, I must join with him in the agreeable duty of expressing what I think is the general feeling of your Lordships as to the manner in which the Mover and Seconder of the Address have discharged their difficult and delicate duty. They have discharged their office with good taste and good judgment. I am sure, from the ability both have shown, that your Lordships will feel gratified if they should take a part in our discussions on future occasions. It is impossible, as I have said, to discuss the various questions of domestic legislation which have been referred to in the Speech from the Throne; but I will just say this—that if the list of measures to be brought before Parliament is not so large as it has been on some other occasions, we have been guided by important considerations. In the first place, we have been influenced by the wish not to undertake more than we have a reasonable prospect of being able to accomplish; and, in the next place, we have been taught by former experience that if more measures are brought forward during one Session than can be conveniently dealt with they are almost sure to be in one another's way—they fail to pass, and "Most haste is worst speed." But if, as I have said, our list is not as long as it has been on some former occasions, the subjects dealt with are not inconsiderable. We propose to deal with the Ultimate Tribunal of Appellate Jurisdiction, with the laws relating to Merchant Shipping, with University Reform and Primary Education, with the question of Inclosures, and with the re-organization of our Prison System. These are not small results to aim at, and if we succeed in effecting them the Session will not have been wasted. The noble Earl (Earl Granville) referred to the subject of Appellate Jurisdiction, mentioning the fact that the Mover and Seconder had taken no notice of that subject; and he said that perhaps the reason was that it is one of those questions over which it might be convenient to throw a veil. If there is any "veil" in the case—of which I am not aware—I think my noble and learned Friend on the Woolsack will not be long before he takes it off. The noble Earl also referred to the want of any sanitary measures in the programme submitted to Parliament. Now, we are deeply and warmly interested in sanitary reforms; but I am not aware that we ever promised to introduce a new Public Health Bill every year. Last year there was a Bill of 400 clauses; and I do not suppose that those who take the deepest interest in those questions would think it convenient or satisfactory that we should every year add to or alter the mass of existing legislation upon them. My Lords, I do not think I need dwell at any length upon the questions of Indian and Colonial policy which are referred to in the Royal Speech. The proposed addition to the style and titles of the Sovereign will mark more clearly the relation which She holds to the Native Princes of India, but it raises no controverted question—it makes no change in the relations between governors and governed—it involves no doubtful point of constitutional law—and it is not, therefore, a proposal likely to lead to difference of opinion. The disorders in the Malay Peninsula, which at one moment undoubtedly bore a threatening aspect, have been put an end to by prompt action on the spot; and I think I may say that throughout the vast area of territory under the administration of my noble Friend the Secretary of State for the Colonies there is no disorder; I believe I may add, there is no discontent. When the time comes, my noble Friend will be able to explain to your Lordships the progress made in the important scheme of Confederation of the South African Colonies; and I may say that my noble Friend will also take an early opportunity of eliciting the opinion of Parliament upon a subject which, in its present state, it was not thought desirable to mention in the Speech from the Throne—I mean the negotiations on which we last year entered for an exchange of territory with France upon the West Coast of Africa. That is a subject which has been much discussed in the public Press, and I may therefore remind your Lordships that it was stated on the part of the Government last year that no steps would be taken in regard to it without giving to the country and to Parliament the fullest opportunity of expressing its opinion upon the measure. To that pledge we adhere, and I only mention it now to show that it has not been forgotten. The noble Earl (Earl Granville) spoke in very complimentary and well-deserved terms of the Colonial administration of my noble Friend. But the unintentional compliment paid by the noble Earl was even higher than that which he expressed, because he was obliged to go back to two matters which I should think hardly any one in this country would have thought of as subjects of criticism—one the publication of a despatch relating to the affairs of Natal; the other, the appointment of a certain person to act in an official capacity in South Africa. Almost the highest compliment which could be paid to the head of any Department is that his critic should dwell upon matters so small in themselves, because it furnishes the most conclusive proof that causes of complaint have been looked for, and that none of any importance could be found. I turn now to a class of questions as to which I neither expect nor desire unanimity —questions with which I am departmentally connected, and relating to our foreign policy. I will take one by one the most important points that arise. The noble Earl did not, I think, refer to the affairs of China. In truth I have but little to add to the statement contained in the Speech from the Throne. Your Lordships are aware of what occurred in the course of last summer—the attack upon the Yunan Mission and the lamentable murder of Mr. Margary. We have insisted that that matter shall be thoroughly and strictly investigated, and we have required the presence of English officials to assist in the investigation as a security that it shall be real and not collusive. So much we have secured after protracted negotiations, in which Sir Thomas Wade has displayed his accustomed energy and ability. The inquiry is now in progress. The result remains to be seen. I need hardly say that we have the most anxious desire to remain on friendly terms with the Government of China. We can have no inducement and no desire to engage in a costly war carried on in a distant and unhealthy country, and in which no great honour can be gained. We can have no desire to injure our growing commerce in that quarter of the world. We can have no desire to help to break up the vast Empire of China or to have another "sick man" on our hands. We have every motive to induce us to insist upon nothing beyond what is strictly reasonable. But what we have demanded from China we cannot go back from; and I sincerely hope that the Chinese authorities will be well advised in this matter, and will not attempt, by any evasion or any delay, to shield those whose guilt may be proved, whatever may be the rank or official position of those persons. From that remoter scene I pass to another country, nearer to our own, with the affairs of which, during the last 20 years, we have been continually connected—I mean the Empire of Turkey. I need not allude to what you all know —the state of things which has prevailed during the last six months in a part of the Turkish Empire. The insurrection which broke out in Bosnia and Herzegovina was from a military point of view insignificant, and I do not know that even now it deserves any other name. It might have been speedily suppressed by an efficient and energetic Government. The noble Earl (Earl Granville) is right in supposing that when I referred to the subject last October I did so in the belief that the contest was not likely to assume serious proportions; and I think that belief was justified by the state of things then existing. But, as a matter of fact, efficiency and energy were not shown by those concerned in dealing with the insurrection; and when at last some action was taken, it coincided in point of time with that financial collapse which though important enough in other ways, and a cause of suffering to many of our countrymen, is most important and most significant as a sign of general maladministration. Naturally, by this act of repudiation the friends of Turkey were discouraged, and the insurgents gained hope and strength. They have not even now, as far as I can see, obtained any great success, but they have certainly not been put down; and apprehensions are entertained—probably not without reasonable cause—that, if the contest be not promptly suppressed, its area will be extended; Servia and Montenegro may be drawn into it, and there may be produced in those countries a general state of disturbance and confusion which will re-open the whole Eastern Question. That is not a prospect to which any one can look forward with satisfaction A war of that kind, however it may begin, would infallibly as it went on become a religious war—a war between Mussulman and Christian; and even in districts where there might be no actual conflict, feelings of mutual animosity and antagonism would be created between the two religions which, let me say in passing, would probably not be confined to Europe, but might be a source of trouble, and even of danger, to us in another part of the world. Under those circumstances it is not surprising that the Governments of Austria, Russia, and Germany should have been anxious to find a means of pacification. Your Lordships know from the Press the general purport of what has passed. The Note of Count Andrassy, which has now become public property, embodies the proposals which were agreed upon between the three Governments of Austria, Russia, and Germany. The noble Earl asks me whether we were consulted in framing the Note. My Lords, I have no hesitation in answering the question. The Note was framed, in the first instance, between the three Governments of Austria, Russia, and Germany. The three other States which have been concerned in the matter—namely, France, England, and Italy—were appealed to subsequently as to the course they would take. We agreed, as your Lordships are aware, to give a general support to the plan indicated in the Note. That decision was undoubtedly one of considerable importance, and I am bound to state clearly the reasons which led us to it. In this instance not only were the three traditional courses open to us, but there were four possible alternatives which we might have adopted. We might have retired from the whole matter, saying that it was no concern of ours. That would have been a very simple and a very easy course; but, my Lords, I do not think it would have been consistent with English policy or satisfactory to the country. It would have deprived us of all influence or right to make our voice heard in regard to future complications which might arise in the Turkish Empire. I ought, perhaps, to mention that not only were we solicited to take the step which we did take by every one of the other European Powers, but from communications we received we have good reason to believe that the Government of the Porte itself was most anxious that we should not stand aloof. Well, we might, in the second instance, have advised the Porte in a contrary sense to the advice embodied in the Austrian proposition. But either our advice would have been taken, or it would have been refused. If it had been rejected, we should have been placed in a false, and even ridiculous position, as being more zealous for Turkish independence than the Turks themselves; while, if such advice had been tendered by us and accepted by the Porte, we undoubtedly should have been mainly responsible for any calamity which might have befallen the Porte in consequence of acting upon our advice; and having made ourselves so responsible, it would have been difficult for us honourably to withdraw from the business, and to say—"It is no affair of ours." Again, we might, as a third alternative, have proposed some different course if we had had one to propose. It has been suggested, for instance, that the matters in dispute might have been referred to a Conference. But the objections to any proceeding of that kind are obvious. In the first place, we should have stood alone in making that proposition. Then, it would have been of no use to go into a Conference unless we had some definite proposal to bring before it:—so that the mode of proceeding suggested would only have ended in the consideration of some such scheme as has now been placed before the Porte, while there would, of course, have been a great loss of time which might have altogether prevented the work of pacification that we desire to promote. It seemed to us, therefore, that we had practically very little option as to the course we should adopt, both in the interest of the Porte and in that of the populations concerned. Then the question may be asked—"Do you believe that, assuming the Porte to act on the advice given, the insurgents will accept the conditions and will lay down their arms?" Well, that is a point on which no one can speak with certainty. Still, it should be borne in mind that by far the greater part of the strength of the insurrection appears to have been derived from districts lying beyond the Turkish frontier. Everybody knows how strong and general is the sympathy of the neighbouring populations; and I believe if the Austrian Government fulfils in an efficient manner, as it has undertaken to do, the duty which international obligations impose upon it—the duty, I mean, of properly watching its frontier—that the area of hostilities will be greatly limited. In that case, even if a total pacification does not occur, the whole affair will be reduced to the dimensions of a local disturbance, and will cease to be of European importance. If, however, the war should continue as before, it will be for Her Majesty's Government and the other Governments of Europe to consider what steps to take—and I do not think the noble Earl opposite would expect me to state now what course we should take in the event of certain contingencies which it is impossible at present to foresee. I may, however, say now that as regards all future proceedings, we hold ourselves entirely free. We have given a general support to this Austrian proposition because we believe that, on the whole, its acceptance is the wisest course for the Porte to adopt; but it is quite within our power—I do not say to withdraw, for there is no withdrawal in the question—but to abstain from further action, without anyone being able to say that we have either disappointed expectations which we have created or broken any engagements into which we have entered. I am aware that the course we have adopted may be attacked from two opposite points of view. 'Some persons may think that any interference in the internal affairs of Turkey is indefensible on principle, and is a breach of Treaty engagements. Now, my Lords, to that my answer is two-fold. In the first place I say, *Volenti non fit injuria.* Our adhesion to the Austrian proposal was regarded by the Porte as a benefit. In the next place, I do not think that Treaty obligations apply to such a case as the present. You do not, as a rule, enter your neighbour's house without his leave; but if his house is on fire, if he cannot or will not put it out, and if the fire is likely to spread, you are not likely to be scrupulous about committing a trespass. On the other hand, there are many persons whose opinion is deserving of all respect who think that nothing ought to be done to avert or postpone the general breaking up of the Turkish Empire. That, my Lords, is not a matter within our power. We may abstain from interfering; but it does not follow that other Powers will do so. There are other Governments besides Turkey which, in their own interests, are not inclined to allow of a wide-spread agitation among the Sclavonic races, having for its object the creation of a powerful Sclave State. For my part, I repeat that a war between the Mahomedan and the Christian populations of Turkey would be a great evil to the world and possibly a danger to ourselves; and I hold that if, without too deeply compromising ourselves, we can stave off that event, we should have done a good work for ourselves, for Turkey, and for civilization. I do not think the noble Earl (Earl Granville) expects an immediate reply to the rather large questions which he put to me on this subject. One was, whether the Note affected in any way the provisions of the Treaty of Paris. I do not know what particular stipulation of the Treaty the noble Earl had in mind; but I believe there is in the Note no contravention of that Treaty. I have now, I think, said enough on the question of the Austrian Note, and by a natural transition I pass on to Egypt. The question of the Suez Canal will, no doubt, come before your Lordships and the other House of Parliament at a very early period: you will not, therefore, expect that I should at the present moment enter into it in detail, and I shall confine myself to saying a few words on the point of principle. It appears to me that ever since the Suez Canal was constructed it has been felt that it was a misfortune to England that the undertaking should have been entirely executed by a foreign Company. It is of no use discussing now the manner in which that state of things came about. I do not wish to be unjust to Lord Palmerston, or to accuse him of having taken a mistaken view of the situation —there were many circumstances connected with the scheme of the Canal, as it was originally brought out, which may naturally have exercised a powerful influence over the mind of a Minister in his position: — but the fact remains that the Canal was made by the aid of foreign capital, it was made in spite of the opposition of the English Government, and its management remained in French hands. There was, however, a double check on the administration of the company—one the authority of the Sultan, and the other the influence possessed over the Canal by the Viceroy of Egypt, partly in his territorial capacity of Ruler of the country through which it passed, and partly, also, as being the person most largely interested, as a shareholder, in its success. Now, it is evident that, under existing circumstances, the power of the Sultan over M. Lesseps and his Company must have been in some degree diminished; and when the Viceroy was anxious to sell his shares, and when a French Company was ready to buy them, it was clear that if they had done so their power over the Canal would have become more absolute and complete than at any former time. We did not think that would be a desirable result, considering that the Canal is our high road to India, and that more than three-fourths—I believe it would be more accurate to say four-fifths, of the tonnage passing through it belongs to us. I cannot believe that our desire to have, under the circumstances, an increased control over the Canal was unreasonable. We saw our way to acquire the influence necessary for that purpose, and we seized the opportunity. I do not in the least care to deny that the transaction is one of an unusual character. It is, I dare say, a somewhat out-of-the-way thing for the Government of a great State to become shareholders in a commercial undertaking; but it is an equally peculiar thing that a foreign and private Company should hold possession of that which has become, not indeed the only, but the principal means of communication between England and a dependency which is in itself an Empire. The noble Earl (Earl Granville) has referred to various reports in connection with this subject, and he has expressed it to be his opinion that the transaction ought not to have been concluded without calling Parliament together at the earliest possible moment. Now, I need not point out—what the noble Earl himself admits, and what, indeed, is obvious—that although the Government may have bound themselves, they have not bound and could not bind Parliament in the matter. We took upon ourselves the risk and the responsibility of recommending to Parliament the purchase of those shares. Legally and constitutionally we could do nothing more than this; Parliament was free to reject the bargain; and I think we are entitled to contend that, in postponing the meeting of Parliament till the usual time, we were not influenced by any undue motive. We acted in that respect against our own interests. There is no doubt that if Parliament had been summoned on the earliest possible day to become a party to the purchase, there would have been much less discussion than will probably be the case now, and the transaction would have been completed under an impulse of general enthusiasm. I do not, however, think that would have been desirable on public grounds. I look upon the question as a grave matter, and one which ought to be discussed in a deliberate manner. If, then, any one complains of delay because a period of two months has been allowed to elapse before Parliament was summoned, in my opinion there would have been quite as good reason, had Parliament been summoned at once, for complaining that we were taking the country by surprise, and not affording the opportunity for having the subject fully and calmly discussed. I need add nothing as to the consideration — though it is one not wholly without importance—that much public inconvenience is caused by the assembling of Parliament before the usual time, and that when it does assemble under such circumstances it is very often deprived of the assistance of some of its most useful Members who, being in distant parts of the world, are not able to arrive in time for its meeting. That, I believe, is all I have to say on this part of the subject; but I may, perhaps, be allowed shortly to refer to the view the noble Earl takes as to the commercial aspect of the transaction, which I agree with him in thinking is certainly not its most important feature. I have good hopes that in a financial point of view the bargain will not turn out to be a bad one. I have expressed that opinion before, and I repeat it; but I do not hesitate to say that if financially it turned out to be a bad bargain, that would be a consideration not to be set against its other advantages; and, on the other hand, that we should not have been justified in concluding the purchase merely on the ground that it would pay well. It is no part of our business to invest the public money in a foreign commercial undertaking because it gives a good return, and if we had acted on any ground of that kind we should be justly liable to criticism. What we desired was influence over the administration of the Canal. I have been told that we have not obtained it, because the voting power connected with the shares which we have bought is limited. Certainly I cannot prove the contrary. If a man denies that two and two make four, I know of no argument that will convince him; and anyone who contends that you may hold two-fifths of the capital of an undertaking like the Suez Canal and yet exercise no influence over it, seems to me to stand in the same position. Holding that large sum, we might if we pleased create a constituency which would not be far from a majority of the whole body of voters, and that is a power which, although we may not choose to exercise it, yet is not unimportant to hold in reserve. I am supposed to have said somewhere—I believe in Edinburgh—that I did not think any political significance was to be attached to this transaction. Now, my Lords, I never made any assertion half so foolish. I never said that the transaction was one of no political significance. What I did say, and what I now repeat, in answer to the observations of the noble Earl, is that it seems to me eminently desirable to repudiate that particular political significance which by many persons—not so much in England as abroad—has been attached to it. It was thought that the purchase was made for the purpose of establishing an exclusive Protectorate over Egypt, and that we had adopted the very policy which we opposed at the time of the Crimean War—that of a partition of the Turkish Empire. I hold that to ascribe to us a policy of that kind is an imputation on this country, and one which it is desirable to repudiate in a most distinct way. What we want is an uninterrupted passage through Egypt and the absence of any foreign control over that country. We want no exclusive use—no monopoly—of the Canal. What we desire is that no such exclusive monopoly should be established by others. We have a greater interest in the East than any other Power; but while we desire to maintain a free passage to the East, we are aware that others have the same wish, and we are bound to respect their interests, as we expect our own to be respected. During the last two or three years a good many difficulties have arisen with regard to the Suez Canal. They were not of a very grave character, and they have been adjusted in a more or less satisfactory manner; but they were and are constantly recurring, and it is their recurrence which we desire to prevent. M. de Lesseps has met us in a friendly spirit, and we are engaged in negotiations with him which I hope will result in a settlement of the various differences which have arisen between the Company and those who use the Canal, and also in the introduction of an English element into the management. I do not speak of that as a result which we are certain of obtaining, but we have reason to be hopeful. The state of the case is briefly this—on the one hand, we do not claim credit for a deep-laid and long-meditated act of policy. There has been nothing underhand—nothing done in secret; we used an opportunity which presented itself, and that was all. On the other hand, after the first moment of natural surprise, I do not believe there exists, or has existed, in any country in the world the slightest feeling of irritation or of distrust as to our policy on this subject. The noble Earl has referred to the financial mission of Mr. Cave. The history of that mission is simple. Every one knows that the Ruler of Egypt has been extremely active in promoting useful public works intended for the development of the resources of Egypt. These works are undertakings which involve a large expenditure of capital, and which are not immediately productive. The result is a certain amount of financial embarrassment. Her Majesty's Government in November last were applied to for the services of two English gentlemen, experienced in financial matters, to assist the Khedive in remedying the confusion which he stated to exist in many branches of his financial administration. We were willing to comply with that request; but it did not appear altogether clear in what capacity these gentlemen were to be sent out, and what was the nature of the services they were expected to perform. We therefore thought it better, before sending them out, to send some one well acquainted with finance and administration generally, and possessing the confidence of the Government, to ascertain more exactly than could be done by correspondence what it was that the Khedive wanted. We thought it desirable, also, that the gentleman whom we sent should be one who might offer him advice and be able to report to us what the financial situation of Egypt really was. The Khedive readily accepted that offer on the part of Her Majesty's Government, and gave Mr. Cave a friendly and even cordial reception. The noble Earl has referred to speculative transactions as having occurred in consequence of this mission. All I can say is, that if a Government is to abstain from doing any act which might lead people to speculate on the Stock Exchange, I really do not know what act of any State might not be liable to a similar objection. No doubt, there may have been a good deal of speculation in consequence of Mr. Cave's visit. If a Government goes to war with another, the effect of that proceeding is to raise the price of horses in the country concerned; but no one would accuse the Government in question of going to war in order to encourage speculation in horses, or hold them responsible for losses that might ensue. In the same way, if speculation should arise in consequence of this mission, we may regret it, but we do not admit that the fault is ours. We have instructed Mr. Cave to abstain most carefully from even appearing to mix himself up with any of those financial schemes which are frequently being laid before the Khedive, and we have no reason to suppose that he has departed from our instructions. We disclaim all desire to interfere in the internal affairs of the Khedive; but we have an interest in his prosperity, and we have shown it, among other things, in inducing him, without pressure or menace, but by mere friendly advice, to withdraw from what we believe to be an unintentional and inadvertent aggression on the territory of Zanzibar. I call it "inadvertent" because it does not appear to have been in the first instance sanctioned by the Government of the Khedive, but was an act done by the officer in command on his own responsibility. We have also obtained from the Khedive an assurance that he will not entertain any such projects as have been attributed to him of effecting the conquest of Abyssinia. We have reason to think that an honourable peace will before long be concluded with that country, and that the Egyptian troops will be withdrawn. My Lords, I have done with Egypt, and I now turn to a subject which I fully admit to the noble Earl has excited a feeling in this country disproportionate to any practical results which are likely to arise out of it. I mean the appointment of a Royal Commission to inquire into our national duties and obligations in regard to slaves who may escape on board our vessels in the waters of countries where Slavery is the law of the land. My Lords, I do not often agree with Mr. Bright, but I do agree with what he said in a recent speech, when he observed that this subject was not so free from difficulty as might appear at first sight. I think that any person acquainted with what has passed will admit that considerable uncertainty, confusion, and contradiction exist as to what our obligations really are. I have seen the Circular that was first put forward and subsequently withdrawn spoken of as if it had been a volunteered expression of opinion on the part of the Government. I do not know what your Lordships' experience may be, but my experience is that Government Departments are not fond of volunteering expressions of opinion on abstract propositions, and particularly in regard to doubtful questions, and where a good deal of unpopularity may be incurred. The fact is, that certain cases occurred which required that instructions should be issued. The Government were asked for those instructions, and we were bound to supply them. It has been said that we might have left the officers to act on their own responsibility; but subject to the condition that we were free to disavow their proceedings if we did not agree with them. That is a course which might be convenient to the Government, but it would be an evasion of responsibility, and unfair to the officers concerned. The question was referred to the Foreign Office, and, as is usual in such cases, we placed it in the hands of the Law Officers of the Crown. That Circular about which so much discussion has arisen was, as I stated at Liverpool, prepared by the highest legal authority. It was framed upon an opinion given by Sir John Karslake, Sir Richard Baggallay, the late Attorney General, and by the present Attorney General, Sir John Holker. We all know what sort of client a layman is proverbially said to have when he becomes his own lawyer, and for my part, and on behalf of my lay Colleagues, I am not ashamed to admit that we did not consider ourselves better qualified to decide a point of law than the Law Officers of the Crown. I agree with the noble Earl that no Party considerations are involved in this question. There is no Pro-Slavery or Anti-Slavery Party in this country—the whole Slavery contest has been dead and buried for 40 years. But, then, the question may be asked, why, having issued that Circular, we withdrew it? We suspended the first Circular for two reasons: partly from a feeling of which I shall never be ashamed—that it is exceedingly undesirable to go against the general feeling of the country unless you are absolutely obliged to do so, and especially at a time when, Parliament not being in Session, detailed discussion and explanation are impossible. We had another reason which is equally intelligible. We suspended the first Circular and subsequently withdrew it, because an even higher legal authority—if it is not invidious to say so—I mean my noble and learned Friend on the Woolsack—led us to believe that in that matter we had probably been wrongly, or, at any rate, doubtfully, advised. That was our position. My noble and learned Friend entertained grave doubts of the soundness of the law laid down by the Law Officers of the Crown; and in that conflict of opinion we were not prepared to commit ourselves to the defence of what might prove to be an untenable position. As to the Circular last issued, we are prepared to contend, and we think we can prove, that it accurately represents the state of the law. We have no wish, unnecessarily, to set ourselves against a strong and almost universal expression of public feeling; and if the public opinion of this country considers that existing international rules, such as we find them, ought to undergo modification, that is a result which it may not be impossible to accomplish, either by agreement with other Powers or in some other manner. But the first point is to know exactly how we stand, and there is no better way of ascertaining that than to obtain from a body of men who will command general respect an authoritative and impartial declaration of what our obligations and rights in the matter are supposed to be. The noble Earl opposite rather laughed at the notion of a Commission of Inquiry into such a matter; but I think I recollect that a Commission of Inquiry sat upon the subject of the Neutrality Laws—which was quite as much a matter of policy as this—and no one ever disputed that great advantage was derived from it in subsequent discussions. So, again, years ago, when I sat in the other House, various questions connected with Treaties of Extradition, upon which there was considerable doubt, came before us; they were referred to a Select Committee, and the result was the framing of the system under which our present Extradition Treaties have been negotiated. To whatever extent we may legislate or negotiate, it is desirable, in the first instance, that we should ascertain, in an authoritative manner, what our rights and obligations really are. This is the object of the step we have taken. I do not suppose the inquiry will occupy any length of time, and when the result is known we shall be prepared to act upon it. I have detained your Lordships an unreasonable length, but after the appeal made to me by the noble Earl, and considering the various subjects of interest on which information is expected by the public, I could adopt no other course.

THE DUKE OF SOMERSET: My Lords, there are two or three observations I wish to make. And first with regard to the Suez Canal—and in regard to that I think my noble Friend has scarcely done justice to Lord Palmerston—I had frequent opportunities of conversing with Lord Palmerston upon the subject, and therefore I am able to state fairly what his opinions were. The noble Lord objected to the Canal on these grounds—He said we have now an open course to India for our commercial fleets and soldiers, and if new communications are to be opened there will be competition—for either Russia or France may seriously compromise our communication with India. You may remember that at that time there was a Napoleonic idea respecting Egypt, to the effect that it might become a French appanage, which had considerable influence on Lord Palmerston's mind. He knew the hereditary appetite for Egypt in the mind of the Emperor, and therefore he saw that great difficulties might arise. If the Canal did not succeed, Suez would still be a French town, and that would be a serious inconvenience to our existing communication; and if, on the other hand, it did succeed, it would be in the hands of a French party, supported by the French Government. If we look back to the time preceding the Emperor's attempt to march to Berlin, matters will wear a different aspect from that they present now; for had it succeeded, the Emperor might have gratified his hereditary appetite for Egypt. On that account Lord Palmerston objected to the occupation of Egypt by the French, which he foresaw would be the consequence of the making of this Canal. He said it might not be in our time that complexities would arise, but arise they must from the making of that communication; and we know that a year ago complications did arise about tonnage dues, and the Company wanted to stop the communication altogether. The Company objected to the exemption claimed for the parts of a ship occupied by machinery, or provided for the accommodation of sailors, and there was a discussion at Constantinople. This was just one of those difficulties which justified Lord Palmerston in objecting to the Canal. He saw its advantages, no doubt, but he thought it probable the disadvantages would be greater; and I am not so sure we are yet altogether clear of the difficulties the possibility of which he foresaw. I do not agree that it would have been well to have called Parliament together in December last. If Parliament had met in December, the purchase would have been approved with acclamation, and Parliament would have passed at once any measure that the Government might have proposed. But the feeling of the country has changed a little since then, and Parliament will now calmly consider this important matter. As to the proposed Commission on the Slavery question, I would ask whether it is wise to appoint such a Commission at all? You cannot lay down any hard-and-fast rules applicable to every case; and you must trust to the discretion of individual officers, in the cases that arise, for the exercise of their judgment. Legislation in a sense unfavourable to the slave will not be tolerated by this country, and a measure which may be popular here may embarrass us if rigidly applied in different parts of the world; and we shall be obliged at last to trust to the discretion of our officers, whom I have found on the whole to act with very great judgment in these cases. Many of them are as it were brought up to the practice of dealing with these cases of slavery, they are constantly discussing them, and they have a greater knowledge of the points involved than can be possessed by us in England; because the actual cases with all the circumstances do not come before us. In dealing with the subject of Merchant Shipping, I hope the Government will not fall into the error of attempting to put everything into one Bill, but will separate the construction and loading of ships, the treatment of the men, and the subject of insurance; because by dealing with different branches of the matter separately, they will facilitate the passing of their Bills, and they will greatly facilitate the future amendment and consolidation of the law—for such future amendment will be inevitable—and if Acts are comparatively short they can be repealed and re-enacted with Amendments, which is a far better and less puzzling course than to pass amending Bills which contain only ambiguous references to former and inaccessible Acts.

Address *agreed to*, *nemine dissentiente*, and ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The LORD REDESDALE appointed, *nemine dissentiente*, to take the Chair in all Committees of this House for this Session.

COMMITTEE FOR PRIVILEGES — Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

APPEAL COMMITTEE—Appointed.

House adjourned at half past Eight o'clock, to Thursday next, half past Four o'clock.

HOUSE OF COMMONS,

Tuesday, 8*th February*, 1876.

The House met at half after One of the clock.

A Message from Her Majesty, by the Yeoman Usher of the Black Rod—

"MR. SPEAKER,

"The QUEEN commands this Honourable House to attend Her Majesty immediately, in the House of Peers."

Accordingly, Mr. Speaker, with the House, went up to attend Her Majesty:—

And having returned;—

NEW WRITS DURING THE RECESS.

Mr. SPEAKER acquainted the House—that he had issued Warrants for *New Writs*, *for* Suffolk (Western Division), *v.* Fuller Maitland Wilson, esquire, deceased; *for* Lancaster County (South Western Division), *v.* Charles Turner, esquire, deceased; *for* Surrey (Middle Division), *v.* Sir Richard Baggallay, knight, Judge of Her Majesty's Court of Appeal; *for* Whitehaven, *v.* George Augustus Frederick Cavendish Bentinck, esquire, Judge Advocate General; *for* Aberdeen County (Eastern Division), *v.* William Dingwall Fordyce, esquire, deceased; *for* Horsham, *v.* Right honble. Sir William Seymour Vesey Fitzgerald, Chief Charity Commissioner for England and Wales; *for* Ipswich, *v.* John Patteson Cobbold, esquire, deceased; *for* Wilts (Southern Division), *v.* Lord Henry Frederick Thynne, Treasurer of Her Majesty's Household; *for* Salop (Northern Division), *v.* John Ralph Ormsby Gore, esquire, now Baron Harlech; *for* Dorset, *v.* Henry Gerard Sturt, esquire, now Baron Alington; *for* Burnley, *v.* Richard Shaw, esquire, deceased; *for* Suffolk (Eastern Division), *v.* Viscount Mahon, now Earl Stanhope; *for* Armagh Borough, *v.* John Vance, esquire, deceased.

CONTROVERTED ELECTIONS.

MR. SPEAKER informed the House, that he had received from two of the Judges selected, pursuant to the Parliamentary Elections Act, 1868, for the trial of Election Petitions, a Certificate and Reports relating to the Elections for Durham County (Northern Division), and for the Borough of Armagh. And the same were severally read.

NEW MEMBERS SWORN.

John Ireland Blackburne, esquire, *for* Lancaster County (South Western Division); Thomas Thornhill, esquire, *for* Suffolk (Western Division); Daniel Thwaites, esquire, *for* Blackburn; Lord Henry Frederick Thynne, *for* Wilts (Southern Division); Robert Henry Hurst, esquire, *for* Horsham; Honble. Edward Henry Trafalgar Digby, *for* Dorset; Sir James John Trevor Lawrence, baronet, *for* Surrey (Middle Division); Thomas Clement Cobbold, esquire, *for* Ipswich; Sir Alexander Hamilton Gordon, *for* Aberdeen County (Eastern Division); George De La Poer Beresford, esquire, *for* Armagh Borough; Stanley Leighton, esquire, *for* Salop (Northern Division); Right honble. George Augustus Frederick Cavendish Bentinck, *for* Whitehaven.

NEW WRITS ISSUED.

For Berkshire, *v.* Richard Benyon, esquire, Manor of Northstead; *for* Leominster, *v.* Richard Arkwright, esquire, Chiltern Hundreds; *for* Manchester, *v.* William Romaine Callender, esquire, deceased.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read the first time; to be read a second time.

THE QUEEN'S SPEECH FROM THE THRONE.

MR. SPEAKER *reported*, That this House has, this day, attended Her Majesty in the House of Peers, when Her Majesty was pleased to make, by Her Chancellor, a most gracious Speech from the Throne to both Houses of Parliament; of which, Mr. Speaker said, he had, for greater accuracy, obtained a Copy:—

And Mr. SPEAKER read it to the House.

ADDRESS IN ANSWER TO HER MAJESTY'S MOST GRACIOUS SPEECH.

MR. RIDLEY rose to move that an humble Address be presented to Her Majesty, in answer to Her Majesty's

Most Gracious Speech from the Throne; and said—Sir: It was with the most lively feeling of satisfaction that we received some time ago the announcement that it was the intention of Her Majesty to open Her Parliament this year in person; and I rejoice that it is my privilege this day to congratulate this House and the country upon the happy circumstance that no untoward event, no anxiety for friend or family, no ill health of her own, has stood in the way of the fulfilment of a purpose so agreeable alike to Her Majesty and to the nation.

Nor is it, Sir, of less fortunate omen that Her Majesty is able to announce to Parliament the brilliant progress which her son, His Royal Highness the Prince of Wales, is now making through that vast Empire, which will shortly, as we are led to day to hope, bring under such happy auspices a new title to Her Crown. There have been, Sir, anxieties—I ought, perhaps, to say, grave anxieties—attending the journey; there have been heavy responsibilities thrown upon those who have had the charge of a progress which has scarcely a parallel in history—certainly not in the annals of the British Crown. But we are assured, Sir, to-day, that those anxieties and fears have so far proved groundless; we know that the ordering of that journey has been marked by the most signal foresight and success. The people of this country, Sir, are following with the keenest attention the incidents of His Royal Highness's triumphal visit, which are so dramatically brought before them day by day: they are realizing with a vivid distinctness, which cannot but have the happiest results, something of the vast and varied interests which attach to the history, the religion, the civilization of those older races who are with them the subjects of Her Majesty, and who are receiving Her son with so loyal and enthusiastic a welcome. They appreciate to the fullest extent the energy and self-devotion for the public good of which His Royal Highness is giving so conspicuous an illustration. They can understand—for have they not experience of it themselves?—how his uniform kindliness and courtesy is winning the hearts alike of Princes and people, and is likely to leave behind it an enduring influence for good upon the relations between us and those vast millions whom it is our lot to govern. It is, Sir, I make bold to say, the hope and the expectation of this House that when His Royal Highness shall have happily returned among us, he will be found not only to have enlarged his personal experience and knowledge of those deeply interesting subjects of the Throne to which he will at some period—we hope a long distant period—succeed, but to have achieved a great and valuable work in aiding to consolidate and harmonize that magnificent inheritance.

It happens, Sir, in accordance with the line of thought evoked by this important circumstance in our history, that Her Majesty's Speech this year is emphatically that of the Sovereign of a great people, who with their large possessions have responsibilities equally great of which they cannot divest themselves. It is satisfactory to hear that our relations with all Foreign Powers are cordial, and to know that we are everywhere at peace. But the House this day is brought face to face with a vast group of questions relating to the East, of which that commonly known as the Eastern Question is but one in the series, and the extreme importance of which to our Imperial interests it is perhaps impossible to over-estimate.

Sir, in the far East, it is a matter for congratulation that a serious struggle has been again avoided with that huge Empire of China, the maintenance of friendly relations with which is of such importance, as well directly to the commercial interests of this country as indirectly to the finance and revenue of India. Happily, the reasonable and firm demands of our Minister at Pekin were, though only at the last moment, acceded to, and Her Majesty is able to assure us that an investigation, in which She herself is represented, is being officially conducted into the outrage committed upon the English expedition sent from Burmah to the Western Provinces of China, and that She awaits with confidence a successful result of the inquiry.

The Malayan Peninsula has been the scene of an outbreak which has cost us more than one valuable life; but the war—if war it can be called—has been brought to a conclusion with signal skill and courage. I fear, however, it cannot be said that our difficulties have altogether been disposed of. They are difficulties of a kind which invariably threaten great Powers who, from outlying settlements, and with small available resources, have to control, without governing, the barbarous tribes of some region just beyond their frontier. From the nature of the case it is impossible always to provide beforehand for every contingency which may arise from such undefinable relations, and it too often happens that we have to deplore the loss of some fearless servant of the Crown, who is performing his mission alone and with his life in his hand, in the name of a nation great indeed and powerful, but powerful only in his case to avenge the outrage of which he has been the victim.

Sir, it is to a problem somewhat similar in character that the recent difference of opinion between the Cape Government and the Colonial Office may, perhaps, be traced. It seemed very desirable that all the English and Dutch communities of the South Coast of Africa should agree in some common policy towards the Natives of the interior, and should provide for some common defence in case a Native war should unhappily arise. Lord Carnarvon accordingly suggested a Conference of delegates from the various Colonies, and proposed also that they should consider the expediency of forming a Federation. The proposal, however, was not received with universal approval at the Cape, and it was in consequence suspended. Whether it be ultimately adopted or not, it is strongly to be hoped that the Papers which have been promised by the Government will show that the good feeling between the Colonies and the Mother Country has in no degree been impaired; and that if there has been any misunderstanding as to the intention of the proposal, that misunderstanding has been removed.

Some few years ago, Sir, a private Company, originated and promoted by one courageous and determined man, whose name will ever be associated with it, commenced a bold project, which was to open through Egypt a new highway between the Eastern world and the nations of the West. They were not supported by English capital —they were even opposed by English Ministers. But their project proved a success, and England discovered that a thoroughfare had been created which it was absolutely indispensable to her political, no less than her commercial, connection with the East should be open to the passage of her ships. From the first the international character of the Canal has been acknowledged both by the Ruler of Egypt and the Porte; but the controversy on the tonnage dues showed the difficulties which might arise between us, as the principal customers of the Canal, and the shareholders, no less than the inconveniences and even quarrels which might follow from the zeal of a foreign Government in promoting the objects of the Company. Under these circumstances it can be no matter for surprise that the country received with almost unanimous approval the announcement that Her Majesty's Government intended to propose to Parliament to sanction the purchase of those shares in the Company which were held by the Khedive. It was understood that an opportunity had offered itself for us to give timely aid to one of the original owners—who held these shares in "trust," as it had been declared, "for European nations"—and to become at the same time one of those who were interested in the Canal by property as well as by policy. It was thought that this opportunity had been rapidly and promptly seized, and that the legitimate influence of England in a highway of such vital importance to her had been secured, or at least strengthened, in a manner least likely to wound the susceptibilities of its founders, or to give rise to foreign jealousies or suspicions; and it was taken both in this country and abroad to indicate the presence of activity, foresight, and resolution at the head of our affairs. The House and the country now look with eager interest to the utterances of Her Majesty's Government upon the subject. Their action will, doubtless, be subjected to the severest criticism; but I do not hesitate to express my conviction that the verdict will be one of approval, and that it will be held that Ministers have, by this bold but peaceful stroke of policy, strengthened the position and vindicated the dignity of the Empire.

Antagonism, Sir, of race and religion, which is so important a factor in all Eastern questions, is again giving great cause for anxiety in some of the Provinces of Turkey in Europe. An insurrection, which has, happily, not extended beyond the limits of Bosnia and Herzegovina, has been excited by the long unredressed grievances, principally agrarian, under which the Christian population in those Provinces have suffered. The Government of the Sultan has failed to offer reforms which would satisfy the insurgents, and has been unable to put an end to the insurrection by force of arms. Accordingly, the three Northern Powers, who have all along been endeavouring to bring about a peaceful settlement of the difficulty, have invited the Western Powers to concur in a Note which should, in a friendly manner but with explicit firmness, invite the Porte to the establishment of certain specific reforms—these reforms being, in the opinion of the Powers, the minimum which could be expected to satisfy the insurgents, to effect a permanent and not a delusive cure, and to remove the dangers to which the Powers most nearly concerned are exposed. I do not doubt, Sir, that it will be thought that Her Majesty's Government has pursued a wise and prudent policy in giving a general support to Count Andrassy's Note. The initiative has been most naturally and properly taken by Austria and the two neighbouring Powers; but a consideration of our whole Eastern interests in their broadest sense shows that it was almost impossible for us to stand aloof, had we even wished it; while the approval and concurrence of England, whose history is so full of friendliness towards the authority and Empire of the Sultan, would seem to be a further guarantee that the requests so proffered are reasonable and moderate, and to give additional reason for the hope that this friendly intervention will be successful. Our expectations as to the effect of that Note seem, fortunately, to have been so far realized, and we may hope that we may now look with confidence to the action of the Powers most directly interested to assist in re-assuring the peace of Europe.

Sir, the responsibilities which attach to the position which we hold among Nations have been this year pressed forcibly home to the most indifferent spectator of events by the prominence which circumstances have lately given to our relations to Slavery and the Slave Trade. For many years we have set ourselves a noble task, and have been expending money and lives in suppressing, so far as we could, the infamous traffic in human life which is still the disgrace of many parts of the world. Wherever we have had the control over it we have abolished — sometimes at heavy cost, but a cost we have never grudged—the institution of Slavery, so that it is our proud boast that the slave who sets his foot on British soil, or upon a British ship on the high seas, is at once a free man. There are still, however, some independent Powers which tolerate or maintain the institution of Slavery, and with many of these we are of necessity brought into contact—with some of them we have treaty engagements. It is perfectly obvious, therefore, that the doctrine elsewhere so easy of application is surrounded with delicate complications when our ships, being in the territorial waters of such countries, become bound by the obligations not only of international law, but of international comity. To have carried our practice as far as some persons would seem to wish we had done would have, I will venture to say, involved us in more than one war, and that not with unimportant only or least powerful nations. We have, in fact, Sir, to consider, not so much what we should wish to do were our Empire absolutely universal, but what our power—great indeed, but still limited—will permit us to do; and for this reason I believe that the Government have been well advised in taking the course which they propose in order to ascertain with accuracy the extent of our existing powers and obligations. It is well that the extremely imperfect information which prevails upon this subject should be supplemented, and that the whole country should be completely and thoroughly aware how we stand in this matter; for so only can the action of the Executive in cases often very difficult and complicated be fairly and adequately judged by public opinion—so best will their hands be strengthened in carrying out to the fullest practicable extent the glorious traditional policy of this country.

The House will not be surprised to learn that Her Majesty's Government contemplate legislation this Session on the subject of Merchant Shipping, and it may, no doubt, be anticipated that it is intended to put this measure, or these measures, in the forefront of the legislation of the Session. No Government, indeed, could afford to ignore the state of public feeling throughout the country upon this subject. But in this state of public feeling lies also their opportunity, and it appears to be a peculiarly favourable one; for if, on the one hand, there has been set going—in a manner familiar to us all, and one calculated to do infinite honour to the feelings, at all events, and impulses of its principal originator—if there has been set going under these circumstances a motive power the value of which can hardly be overstated, it is also, happily, the case that the passions and prejudices which have on some sides, naturally perhaps, been aroused, have had time to calm so that this House approaches the discussion enriched by much experience and backed by public sentiment which is, perhaps, all the more strong because it is less demonstrative. It cannot, I think, be sustained that our mercantile navy, has deteriorated, whether in regard to its officers, its safety of carriage, or the estimation in which it is held by foreign countries. There is, however, unhappily reason to believe both that the condition of the sailors is unsatisfactory and that some part of the annual loss at sea is preventible. It is this latter point—the condition, that is of the ship—which is, perhaps, most before the mind of the public; but I may be permitted to express a hope that the other point may not be forgotten, and that measures may be taken, so far as by legislation it is possible, to increase the supply and improve the circumstances of the men—especially in our sailing vessels—upon the efficiency of whom the security of a voyage so much depends. In dealing with the other branch of the subject, it will not, I trust, be considered presumptuous in me if I venture to enforce the necessity of bearing in mind one great principle which should, as it seems to me, guide this and indeed all legislation. It has been hitherto, so far as I have observed, the uniform policy of Her Majesty's Government—and I doubt not we may confidently reckon upon its continuance—to require those who have the most personal interest and experience in the particular subject-matter to be responsible for effecting any result which the Legislation declares desirable, and then to maintain a Government control over that responsibility. In this case it is the shipowner, and the shipowner only, who can look effectually to the safety of the ship, and it should, therefore, be our policy to seek to make his responsibility a reality. We may, perhaps, do something—though it will, I fear, be a difficult and hazardous attempt—in the way of preventing insurance being a temptation to negligence or crime; but, our object being to see that the dishonest shipowner does that which the honest shipowner already does, we must rely in the end upon the enforcement of his liability. From this point of view we should be very careful not to impose regulations or precautions of too minute or too rigid a character. We should put all facilities for securing safety in the way of the owner, and remove as far as we can all hindrances: we should simplify and consolidate the law which he has to obey, and, being then in a better position to provide for a greater degree of publicity and liability, we might confidently hope to eradicate much of that which now casts some discredit upon a noble profession.

Sir, speaking on behalf of a constituency in the main agricultural, I rejoice that among the few home topics in Her Majesty's Speech there has been found place for the subject of Primary Education, and for the promise of some further relief to Local Burdens. Let me say this only—for I fear to weary the House—on this latter point. I take it as a happy augury that Her Majesty's Ministers have seen their way to this mention of it. I trust it may be the prelude to a determined effort—of which I believe they are well capable—not only to redress inequalities in taxation, but to bring simplicity and order into the chaos of local management. The Agricultural Children's Act, passed as it was with the best possible intentions, has not been absolutely a dead letter, but still may be said to have been almost inoperative. As far as those whom I have the honour to represent are concerned—if the House will allow me to make this one allusion personal to them—I will venture to assert that such an Act was not required for the children of the Northumbrian peasant. That it was demanded in some other parts—perhaps most parts—of England was and is, unhappily, the case; and I trust, therefore, that whatever measure may be passed, whether to improve this Act or to supplement the main Act of 1870, that it will be an operative one, while it is at the same time of such elasticity as not to inflict unnecessary machinery or expense upon districts where it is not required.

Sir, there is one other topic in Her Majesty's Speech to which it would ill-become me not to allude. Anything which concerns the welfare of the place, be it school or be it University, where so many of his not least enjoyable days were passed, and to which he owes so large a debt of gratitude for anything that may be useful in his maturer life, must always command the sympathies and interests of every man; and that sympathy and those interests cannot but be intensified when they are bound up with the well-being of either of our great English Universities, which have exercised so deep an influence upon our national history. Every Oxford or Cambridge man, and more especially, perhaps, any one whose direct connection with his old college has been only recently severed, must have been watching with close interest the efforts which have been going on within those old walls with which he is so familiar to increase their utility to the nation, no less than the growing interest which has been taken in them by the outside public, by whom their system, their discipline, and their constitution have been hitherto, perhaps, but little understood. Such a man will hail with satisfaction any legislation which will conduce to the more profitable employment of the endowments, the extent of which has now been accurately ascertained. But he will trust, too, that Parliament will touch these old institutions with a tender hand; that it will enact enabling and not restrictive measures; that it will not do anything towards destroying the independence or usefulness of the collegiate system, while it aims at making these Universities the centres of study and the homes of the highest scientific and literary research.

Sir, the Session which has this day been inaugurated is not one which appears likely to be characterized by history as one which has witnessed numerous large domestic reforms. That it will see much useful work in this direction is the hope and trust of all of us; but in the meanwhile it opens upon us with the prospect of being signalized by wider deliberations, which will call forth the greatest qualities of debate, and display to a fuller extent than for years past the power and dignity of the Imperial Parliament. For myself, I have felt most deeply sensible of the grave responsibility under which I have attempted to fulfil the duty which I have undertaken, and of the kind and forbearing indulgence which the House has extended to me in performing it. I thank them most heartily for this favour received at their hands, and will conclude by moving that an humble Address be presented to Her Majesty, in answer to and in the terms of Her Majesty's gracious Speech from the Throne. The hon. Member accordingly moved—

"That an humble Address be presented to Her Majesty, to thank Her Majesty for the Most Gracious Speech which Her Majesty has addressed to both Houses of Parliament:

"Humbly to thank Her Majesty for informing us that Her relations with all Foreign Powers continue to be of a cordial character:

"To thank Her Majesty for informing us that Her Majesty has considered it Her duty not to stand aloof from the efforts now being made by allied and friendly Governments to bring about a pacification of the disturbed districts of Bosnia and Herzegovina, and that Her Majesty has accordingly, while respecting the independence of the Porte, joined in urging on the Sultan the expediency of adopting such measures of administrative reform as may remove all reasonable cause of discontent on the part of his Christian subjects:

"Humbly to thank Her Majesty for informing us that Her Majesty has agreed to purchase, subject to the sanction of Parliament, the shares which belonged to the Khedive of Egypt in the Suez Canal:

"Humbly to thank Her Majesty for informing us that the representations which have been addressed to the Chinese Government, as to the attack made in the course of last year on the Expedition sent from Burmah to the Western Provinces of China, have been received in a friendly spirit, and that the circumstances of that lamentable outrage are now the subject of an inquiry:

"To assure Her Majesty that we rejoice to learn that His Royal Highness the Prince of Wales has enjoyed uninterrupted health during his journey through India, and that we join in regarding the hearty affection with which he has been received by Her Majesty's Indian subjects as an assurance that they are happy under Her Majesty's rule, and loyal to Her Throne:

"Humbly to thank Her Majesty for reminding us that at the time the direct Government of Her Majesty's Indian Empire was transferred to the Crown, no formal addition was made to the style and titles of the Sovereign, and for informing us that Her Majesty deems the present a fitting opportunity for supplying the omission.

"Humbly to thank Her Majesty for informing us that directions have been given for the issue of a Royal Commission to inquire into all Treaty engagements and other International obligations bearing upon the subject of the Slave Trade, and the action of British national ships in the territorial waters of foreign States, with a view to ascertain whether any steps ought to be taken to secure for Her Majesty's ships and their commanders abroad greater power for the maintenance of the right of personal liberty:

"Humbly to thank Her Majesty for informing us that a Bill will be introduced for the punishment of Slave Traders who are subjects of Native Indian Princes:

"To assure Her Majesty that we rejoice to learn that the general prosperity of Her Colonial Empire has continued to advance:

"To join with Her Majesty in trusting that the operations of Her Majesty's troops in Malay have restored order and re-established the just influence and authority of this Country:

"Humbly to thank Her Majesty for directing the Estimates of the year to be prepared and presented without delay:

"Humbly to assure Her Majesty that our careful consideration shall be given to the measures which may be submitted to us, and that we earnestly join in Her Majesty's prayer that our deliberations may, under the Divine blessing, result in the happiness and contentment of Her Majesty's people."

Mr. MULHOLLAND: Mr. Speaker—Sir, I rise to second the Address which has just been read and moved so eloquently by the hon. Member for North Northumberland; and, in so doing, I have the pleasure at the outset of adding my testimony to that of the hon. Member as to the great satisfaction that has been felt, not only, I believe, by all the Members of this House, but by all classes of Her Majesty's subjects, at Her Majesty's most gracious presence to-day. When we last assembled here on a similar occasion, there was a deep and sincere sympathy for the cause which then deprived us of that most gracious presence; that cause happily no longer exists, and I am sure that I express a unanimous feeling, when I say that on this occasion the pleasure is not less intense and universal. I do not propose, following as I do the hon. Member who has moved the Address, to refer to the various topics in Her Majesty's Speech with the same completeness of detail in which they have been already brought before the notice of the House in his eloquent speech. To do so would be to travel again over much of the same ground, which, although to some extent inevitable, I desire as much as possible to avoid. But even at the risk of repetition, the subject of our foreign relations is too important not to be alluded to in its usual order of precedence. There has been sometimes a tendency to forget the intricacy and closeness of the ties which, notwithstanding our insular position, bind our interests and those of foreign countries together. If politically we may seem of all nations the most independent, yet commercially, from the extent and ramifications of our trade, our interests are the most diffused and interwoven with those of others, and foreign complications would be the sure prelude to commercial disturbance and social distress at home. Self-interest, therefore, not less than higher considerations, demands that England should not pursue a policy of isolation; that she should not abdicate her place among the great European Powers, but should hold it with firmness and dignity. Such has been the attitude of Her Majesty's Government; and the satisfaction will be general in learning that as a result Her Majesty's relations with Foreign Powers continue to be of a cordial nature. The influence of this country thus acquired and retained will no doubt continue to be exerted—as it has been hitherto—to promote the cause of justice and the preservation of peace. Although the clouds show some signs of breaking—and I hope may soon be dispersed—the political horizon is not so serene as it was during the last Session of Parliament. The insurrection that has broken out in one of the Turkish provinces, as referred to in Her Majesty's Speech, was not, apparently, of itself important; but that Empire contains so much explosive material that any disturbance, however local, must necessarily cause uneasiness. Even those who believe that the existing position of affairs in Turkey is not satisfactory, nor likely to be permanent, may well fear that any alternative at present possible would be still more pregnant with danger. It will, therefore, be considered a source of congratulation that Her Majesty has used her influence in conjunction with the other Great Powers, not only towards the removal of any grievances of which the Christian subjects of the Porte may have cause to complain, but also for the preservation of the independence of the Ottoman Empire. England is interested in the maintenance of good government, peace, and order in the East of Europe, not only as the greatest commercial nation, not only as a great European, but as a great Asiatic Power. The Turkish Empire lies between us and India, and events that might disturb the peace of such a highway would be to England events of direct and vital concern. This is true, especially with regard to Egypt. A few years ago the genius of an eminent French engineer, by piercing the narrow strip of land that connects Africa with Asia, reversed the revolution that had been previously effected by Vasco de Gama, and restored to its ancient and apparently natural channel, the commerce between Europe and the East. The importance of the complete freedom of such a passage once opened is universal, but to England it is supreme. The key of it ought not to be entrusted to any private—not even to any national—keeping, for it is a matter of international concern. It was, therefore, with an unexampled warmth and unanimity of approval that the people of this country received the intelligence of the provisional purchase by Her Majesty's Government of the Khedive of Egypt's interest in the Suez Canal. Sir, I have no doubt that the House will approve and confirm that purchase. It must be remembered that the alternative was not whether this large share of the ownership of a Canal that to England is an artery of her life-blood should be retained by the Khedive or acquired by us—it was whether it should be acquired by us, or by another nation. It was natural that after the first enthusiasm excited by the intelligence of the purchase had somewhat subsided, the ingenuity of hostile criticism should seek to depreciate the bargain. Although it is commerce that will be most directly benefited, we must look at it, not as a commercial but as a political transaction; and when it is asked in what way will our position be improved by a part ownership of the Canal, the instinct of the country, wiser than the critics, replies, that in the event of danger from any cause threatening the freedom of the passage, our national influence must be thereby increased; and that if the international freedom of the Canal has not been secured, at least a most important step has been taken towards its ultimate security. Sir, I believe that I echo the national conviction when I say that the country is indebted to Her Majesty's Government for the vigour and courage shown at a critical moment, in assuming the responsibility of an act for which there could be no precedent, because the occasion was unprecedented. It will be now clearly understood that England considers India a vital part of the Empire, and that she will not shrink from any effort or any sacrifice that may be necessary for its preservation. When during last Session it was announced that His Royal Highness the Prince of Wales was about to visit India, the announcement was received with unmingled pleasure. The results of that visit appear to have even exceeded our expectations. We rejoice to learn from Her Majesty that it has not injured the health of His Royal Highness, and his presence has shown or evoked a feeling of personal loyalty among all classes of the Native population for which we were perhaps scarcely prepared. It has also, by bringing together in the State ceremonials the different Native Princes, probably given them a common pride in the greatness of the Empire—a greatness of which, as dignitaries, they themselves to some extent partake. We, too, when we have read of the assemblage of those feudatory Princes, have perhaps realized the greatness of that Eastern Empire as we never realized it before. The well-known tact and courtesy of His Royal Highness have produced in India the best effects, and in England the result of his visit will not be less beneficial if it lead us to take more interest in that great country, to realize more truly its extent and importance, and if it unites us in a closer sympathy with our fellow-subjects there. The time, therefore, seems to have been happily chosen for Her Majesty to crown this great Empire that we have built up in the East, by assuming a title long foreshadowed by events. That Her Majesty should now become

Empress of India, in fact as she has long been in name, will be accepted as a graceful symbol of the more intimate connection that we hope may follow the visit of Her Royal son. It is possible to underrate the influence of imagination in national affairs — with an Oriental people it may be difficult to overrate it; and I can conceive nothing more likely to kindle and preserve a national sentiment of loyalty among our fellow-subjects in India than this direct connection with the August Head of our ancient Monarchy by a yet more splendid title. Satisfactory as may be the position of affairs in India, it is gratifying to learn from Her Majesty that the condition of our great and extended Colonial Empire is equally prosperous. We now justly estimate the value of our Colonies; commercially and politically they are pillars of our Empire, and our union with them is secured by ties stronger and more permanent than those of mere self-interest —the ties of a common loyalty and a common blood. I hope that these feelings may always be cherished as giving our Colonies a value that, marvellous as their material progress is, no statistics can express. The House will have been prepared for the announcement that a measure will be introduced during the Session with reference to Local Taxation. I am not, of course, in the confidence of the Government as to the nature of the proposed Bill; but it will probably be of the same tendency as that which recently received the approval of the House. The principle appears reasonable and just, that expenditure for purposes essentially Imperial, ought not to be borne exclusively by any one species of property, but ought to be shared equally by all. A reform of this kind may, I hope, eventually be followed by endeavours to effect a greater uniformity of valuation and a greater consolidation of administration and of rates. I trust, Sir, that when the proposed measure for the amendment of the Merchant Shipping Laws is laid before the House, it will receive the earnest and unprejudiced attention of all Members, without distinction of Party, with reference to a settlement of that difficult question. Last Session the feelings of the country were much excited by it; but I think it was wisely determined that final legislation on a subject of such national importance should be preceded by the most careful and deliberate inquiry. No one could read the statistics of the losses of life at sea without emotion, and everyone must desire to protect our seamen from unnecessary risks, but no legislation can altogether eliminate danger from their calling, and excessive or unwise interference with our shipping might inflict a national injury that could never be repaired. Among the many causes of the losses we deplore, not the least fatal is the want of a sufficient supply of good seamen, and I hope that one of the remedies adopted may be an extension of the system of training ships upon our coasts. Sir, I congratulate the House upon the omission from Her Majesty's Speech of any reference to the affairs of Ireland, that part of the Kingdom with which I am myself more especially connected. Ireland is now happily so peaceable and prosperous that it is not requisite, in any reference to the state of the country, to separate her from the other parts of the United Kingdom. An excellent harvest has produced its usual effect upon an agricultural people; and the deposits in banks, the circulation of the currency, and the traffic on railways, all show an increase in the produce, the trade, and the wealth of the country. Ireland does not possess the mineral resources which lie at the foundation of England's manufacturing supremacy; but, notwithstanding this disadvantage, Ulster has appropriated one of the great staple manufactures of the Kingdom, and the Linen Trade, having suffered less than most others during the depression of the last two years, continues to give employment in its different branches to all classes of the population of Ulster, a population distinguished not more for its industry and intelligence than for its loyal attachment to the Constitution and the Throne. Advance in material prosperity has throughout Ireland been followed by a marked diminution in crime, happily justifying the relaxation made last year in the exceptional Acts previously unfortunately necessary for the preservation of the peace, and also enabling the Government to gradually restrict the area to which these Acts are applied. If attention continue to be directed to the development of the material resources of the country, increased intercourse and extended trade will, I hope, gradually convince the warmest patriot, in a land where patriotism is the strongest sentiment, that he will be most patriotic when he draws as closely as possible the ties by which nature has inseparably connected the destiny of Ireland with that of England, and has made her a part of the richest, the greatest, and the freest nation in the world. Her Majesty has again brought before our attention a subject that was last year also alluded to in the Speech from the Throne, and that will ever excite the greatest interest in this country—the continued efforts for the suppression of the Slave Trade. If there are defects or ambiguities in our treaties with foreign Powers or in International Law tending to obstruct those efforts, those treaties or that law should be amended or explained, and I have no doubt that this House will approve of the appointment of a Royal Commission to investigate the subject. This is no Party question; upon it every Member of this House can have but the one desire, the discouragement of Slavery, as opposed equally to civilization and Christianity, and the extinction of the Slave Trade as a disgrace to mankind. I will not detain the House by further reference to the other subjects specially mentioned in Her Majesty's Speech, as they have been already effectively dealt with by the hon. Member who preceded me. But allusion is made in that Speech to important measures which may be brought before us during the Session, if time should permit. I think it was a wise discretion to refrain from enumerating these measures in detail, as we know well that unforeseen difficulties often intervene, and a sanguine forecast is an unnecessary temptation of fortune. If circumstances should allow their introduction of those measures, it will no doubt be found that Her Majesty's Government continue to direct their efforts in domestic legislation to the improvement of the social and sanitary condition of the people. What they have attempted in this direction has hitherto met with the approval of this House, and the results have earned the approbation of the country. Sir, I believe that it is the earnest wish of all parties in this House to elevate the condition of that teeming population, whose numbers and rapid increase affix upon us all a grave responsibility. Where there are differences among us, they are chiefly as to the means to be employed. I trust, therefore, the measures referred to may be successfully passed, and may prove as effective as those that in this Parliament we have already enacted. I trust also that the knowledge that it is the policy of the Government and the desire of all parties in the State to promote, so far as legislation can promote, the education, the advancement, and the moral and physical well-being of the people, may diffuse such confidence in our institutions as to prevent the disturbance of this beneficial progress by agitation for organic change. Sir, I feel deeply indebted to the House for the patience with which it has heard me. If I did not bespeak it, it was merely because I knew that on such occasions as this the indulgence ever outruns the demand.

Motion made, and Question proposed, "That, &c." [See p. 62.]

THE MARQUESS OF HARTINGTON: Mr. Speaker, the topics which have been adverted to in Her Majesty's gracious Speech are numerous and important—and as we have been already reminded more important than those which have been brought under the consideration of Parliament for some time. But numerous and important as those topics are, there are few, if any, I think, which, with the amount of information before us, can be adequately discussed, and, certainly, there are none of them on which this House can reasonably be expected to pronounce this evening a final opinion. Parliament has, on other occasions, assembled under very different circumstances. The Speech from the Throne on some of those occasions may have announced the commencement or the progress of a war, or the commencement or progress of negotiations. On the other hand, it may have announced the intention of the Government to propose some great changes, in which great principles affecting the Constitution of the country were involved. In such instances it may have been impossible for the House to vote the Address to the Crown without amendment, or certainly without full and adequate discussion, without more or less pledging itself to the policy which had been submitted to it by the Government. But in this case, and on the present occasion, the legislation which the Government proposes, important though it may be, does not I think—at first sight at any rate—involve the consideration of any large principles to which the House can be committed; and important as are the announcements which have been made in respect to our foreign relations, we are as yet without such information as would enable us adequately to discuss the questions to which they relate. It will, therefore, be the duty of the House to wait until the Papers upon the subjects that are promised are laid before us, and we have had time not only to read, but to consider them before proceeding to a discussion of the subjects to which they refer. I admit that much information, in addition to that contained in the Queen's Speech, has been given to us in the able speeches of the hon. Gentlemen the Mover and Seconder of the Address. The House will, I am sure, agree with me that seldom or never has the very difficult task of moving and seconding the Address in reply to the Speech from the Throne been performed with greater talent than on the present occasion. That, however, will not, I think, affect the considerations which I have mentioned. The House will no doubt also agree with me, that in any observations which it will be my duty to make upon the Address which has been moved, it will be rather my duty to endeavour to elicit information from the Government upon points which may seem to require explanation, and also to afford to the Government an opportunity of removing misconceptions in some case, where their policy has, as I think it has, been misunderstood.

The first subject which has been mentioned in Her Majesty's Speech as calling for legislative action is a measure for regulating the Ultimate Tribunal of Appeal in the United Kingdom. This is an imperative duty which is cast upon the Government after the legislation of last year; but I fear that the Government will not recommend to us the adoption of that powerful, efficient, and most convenient tribunal which once received the sanction of both branches of the Legislature, but which, for some inexplicable reason, the Government last year recommended should not be entrusted with the functions of a Court of Final Appeal. However that may be, it is of the utmost importance that this question should now be set at rest; that the Courts of Law should be able to devote their undivided attention to putting in operation the great changes which have recently been made in our system of Judicature; and that the attention of the public, the Judges, and the profession should no longer be distracted by doubt and uncertainty as to what the Ultimate Court of Appeal is to be.

Merchant Shipping legislation is also expected by Parliament and the country. The Report of the Royal Commission and the discussions which arose in this House and in the country during the last Session have, I think, done much to clear the way of the Government with reference to the introduction of this measure; and I do not think, therefore, that the Government will fall into either of the mistakes which they made last year. They will neither underrate the difficulties with which the subject is surrounded, nor the interest with which the subject is regarded by the House and the country. As has been remarked by the hon. Gentleman the Mover of the Address, the interest which was manifested on this subject in the country during the last Session of Parliament has been adequately sustained during the Recess, and the tone which has animated the discussion, both on the part of the shipowners—who are personally and directly interested in the subject — and of those who have more especially taken up the cause of the seamen, shows a most satisfactory desire not to interpose unnecessary difficulties, but to meet each other in a spirit of conciliation. I thought that the hon. Gentleman the Mover of the Address entered into a very able consideration of the principles which ought to guide the Legislature in dealing with this question; and I do not think it necessary that I should occupy time by following him upon the subject, especially as, Notice having been given, we shall have the very earliest opportunity afforded to us of devoting our attention to the subject.

I am glad to learn from the Queen's Speech that the subject of Primary Education is to receive attention at the hands of Her Majesty's Government. No indication has yet been given of the treatment which that subject is to receive, but after the speech which was delivered by my right hon. Friend the Home

Secretary during the Recess, and after the signal success which has attended the introduction of education into a mass of places where it had been neglected before, I can scarcely doubt that the measure which will be recommended to this House will be one which will extend very greatly the benefit of education to the children of the rural districts, remedying those defects in their education by means of the compulsory teaching which is enjoyed by children of the large towns.

I shall make no remark upon the legislation proposed with regard to the Universities. We have had no intimation which would enable us to form an opinion as to the manner in which Her Majesty's Government propose to deal with that difficult question, and therefore I shall, before entering upon it, await such fuller explanation as may be forthcoming. I cannot, however, help referring here to some omissions in the list of measures which are to be proposed to Parliament which must have struck every one. The subject of the prevention of the pollution of rivers occupied a place in the Speech of last year; and, in addition to that, the right hon. Gentleman the President of the Local Government Board gave us very strong reason to hope that the Government would be prepared this year to deal with the question of the supply of water. The legislation for the improvement of the sanitary condition of the people which has been so long and so often promised by Her Majesty's Government can hardly be supposed to be exhausted by the Consolidation Act which was passed last year; but, nevertheless, not one of these subjects receives notice in Her Majesty's present Speech. I think we are entitled to ask why the Pollution of Rivers Bill has been dropped, and why none of the other measures are referred to in Her Majesty's Speech. Are they not matters that demand and deserve the earnest consideration of the House? In my opinion, it is because Her Majesty's Government shrink from dealing with that which they, and we, know to be the root and foundation of successful treatment of any such subject. They know that the country feels more strongly year by year that the Central Government cannot adequately provide for all the wants of our vast and increasing population, which lives under conditions and difficulties so different, and circumstances so varying in their character. Year by year public opinion becomes more convinced than ever that our system of local self-government has not kept pace with the wants of the increasing population; and year by year, in some respects, our local institutions are becoming less adapted to their purposes than they were under the conditions in which our ancestors left them. Now, if the Government would attempt to reduce to something like order the confusion which prevails in local institutions in rural districts; if they would attempt to extend to rural communities, and especially to communities which are semi-rural and semi-urban, the advantages and privileges which are possessed to a very great extent by the inhabitants of larger towns; and if they were to attempt to bring into more reasonable and harmonious relations the various local governing bodies, they would be able to do more for the improvement of the condition of the country and the sanitary condition of the people than they can hope to do by the exertions of the Central Government.

Sir, Her Majesty has referred, in terms of satisfaction, to the condition of our colonial Empire. The Government have on various occasions taken great credit to themselves for their colonial policy, and praise has been freely given to them in that respect. I do not grudge them the credit for that policy, but I do maintain that their colonial policy is not an invention of their own. They take great credit to themselves for the exertions they have made in promoting the federation of the South African States. I do not grudge them the credit for that, but it must not be forgotten that the negotiations which ultimately resulted in the confederation of the North American Colonies were begun under a Liberal Government; and that, although they were completed by a Conservative Government, they were initiated and received their first assistance at the hands of Liberals. While they are taking credit for their colonial policy, it is incumbent upon the Government to explain—and I am glad that Papers are to be presented to Parliament which will afford the explanation—what has been the nature of their policy with regard to this South African Federation. As far as I have heard, and as we are informed, a gentleman has been sent there, armed with powers of which we do not know the precise nature, but who has taken the somewhat unusual course of agitating the colony against its responsible Government. I can hardly think that a course of policy approved of by the Government as the favourable commencement of a policy which aims, I presume, not only to form a closer connection between the South African colonies, but a closer connection with ourselves.

I must next refer for a short time to the remarkable paragraph in Her Majesty's Speech which deals with the subject of Slavery and our relations with slave-holding countries. It will hardly be denied that the paragraph owes its introduction into the Speech to the discussions which have arisen during the Recess upon the two Circulars on the subject of Fugitive Slaves which have been issued by the Government. These Circulars have been discussed throughout the country, not, perhaps, with full knowledge of all the questions of international law involved, and possibly not even with a full knowledge of our own municipal law as it affected, or was affected by, the question. But, at the same time, they have been discussed in a spirit which I think this House will admire, inasmuch as it shows an unabated pride on the part of the country in the result of its exertions for the suppression of the Slave Trade and a determination on its part not to relax those exertions unduly. I need not say much with regard to the first Circular, as it has been withdrawn, and we know, on the authority of the right hon. Gentleman the Chancellor of the Exchequer, it never received the approval of the Cabinet. As I say, the Circular has been withdrawn and much of the legal doctrine set forth in it has been reversed, because we find that, by the second Circular, not only under no circumstances is a slave received on board one of Her Majesty's ships on the high seas to be restored to the country from which he escaped, but also that when a slave is once received on board one of Her Majesty's ships in a port or elsewhere within the territorial limits of a friendly country, no demand is to be entertained for his surrender and no inquiry is to be made into his status. Thus, two of the propositions which were laid down in the first Circular have been directly contradicted in the second Circular. It would, perhaps, be a curious topic of inquiry how the first Circular came to pass through the ordeal of an examination by the Foreign Office, by the Law Officers of the Crown, and by the Admiralty; but with regard to both Circulars the question arises—What was the necessity for issuing either of them at all, and why, when the first was withdrawn, did Her Majesty's Government think it necessary to reverse the legal doctrines laid down in the first by issuing the second Circular? I am not prepared to say that the instructions contained in the second Circular are inconsistent with any principles either of international or of our own law, nor am I prepared to say that they are inconsistent with the precedents which may be found in the practices of former Governments. I think it is perfectly true that a distinction has always been drawn —a distinction of which Parliament and the country is fully aware, and which must be known even to the Anti-slavery Society itself—between the Slave Trade and domestic slavery. The Instructions of the Admiralty directed the commanders of our ships to explain to the inhabitants of countries whose ports they visited, the distinction between the Slave Trade which this country was determined to suppress, and the institution of domestic slavery with which it does not claim to interfere. But those Instructions were perfectly well known to our commanding officers, and it appears to me that it was to make an invidious distinction as against the slave to call the attention of our commanding officers, in the terms which have been employed in the second Circular, to the reception of slaves as compared with the free man. It was felt by the country, and I have no doubt that it was felt by hon. Members of this House, as it was felt by Her Majesty's Government, that the matter could not rest where it was, and therefore Her Majesty's Government have felt called upon to make what I confess I take to be one of the most extraordinary announcements to have ever been made by a Government of this country. What, Sir, has been the course of the Government in this matter? They issued one Circular, we have been told, upon the highest legal authority, and that Circular has been withdrawn. They issued a second Circular, after full and deliberate consideration by the Cabinet, and that Circular has not met with approval in the country. What course are the Government prepared to take in regard to it? Are they prepared to maintain the policy of the second Circular or are they not? Are they prepared to acknowledge a second time that they have been in error, and to withdraw the second as they did the first? No: it does not appear that they are prepared to adopt that policy. Are they prepared to say that a new policy ought to be adopted in deference to the express wishes and feelings of the country—a policy in advance of that which has been adopted by previous Governments? No, Sir, that is not the course which they are prepared to adopt; but what they are prepared to do is to fall back upon the device of appointing a Royal Commission. The Royal Commission therefore is intended to provide the Government with a policy which they are unable to find for themselves. And what is this Royal Commission to inquire into? It is to inquire into all Treaty engagements and other international obligations bearing upon this subject, and all Instructions from time to time issued to naval officers, with a view to ascertain whether any steps ought to be taken to secure for our ships and their commanders abroad greater power for the maintenance of the right of personal liberty. But I presume that the Treaty engagements and other international obligations bearing upon this and other subjects are to be found in the archives of the Foreign Office, and I presume that the Legal Advisers of the Crown could inform Her Majesty's Government as to the effect of those engagements and obligations without the assistance of a Royal Commission, and I presume that the Admiralty could, without much difficulty, inform them of the nature of the Instructions which have been issued to our naval officers; and yet those are the only matters into which the Royal Commission can inquire. I think, therefore, that all the information which this Royal Commission can gather is either already or might soon be in the hands of Her Majesty's Government, and what then remains for the Commission to do? It is to ascertain as already said, whether any steps ought to be taken "to secure for my ships and their commanders abroad greater power for the maintenance of the right of personal liberty." It might be supposed that question might be determined for themselves by Her Majesty's Government. The answer to that question has been already given by the country. It knows perfectly well what it wants, and if the Government does not know, the country, in my opinion, is perfectly prepared to tell them. It does not wish for our ships to be made the refuges for escaped domestic slaves or for political refugees in every port which they may visit, nor does it want that they should be made asylums for distressed persons; but it does want in the case of a fugitive slave or of a political refugee, or of persons in distress, whatever the circumstances may be, that the discretion of our commanding officers should not be fettered by invidious rules, such as those contained in the second Circular, but that they should continue to be, as heretofore, the judges of the circumstances under which the slaves or freemen are to be received on board Her Majesty's ships and to receive the protection of the British flag. The country wants that not only the slave whose life may be in danger should be received on board Her Majesty's ships, but the slave woman, whose personal honour may be endangered, and the slave in danger of cruel punishment, should be received. The country thinks—and I think rightly—that this is a discretion which may be well and safely trusted to Her Majesty's officers. They are not to receive needlessly persons for whose reception Her Majesty's ships are not intended, nor to interfere needlessly with the domestic institutions of the country, but they may be allowed to judge of the circumstances of the case in the future as in the past. Further, the country wants, I think, that when, for sufficient cause, a fugitive slave has been received on board, under the protection of the British flag, that slave shall not be surrendered, or restored to slavery, or removed from Her Majesty's ship under any pretext or upon any demand whatever. That, I believe, is what the country demands, and what I think this House will require, and if international engagements and obligations stand in the way, I think that the House and the country will call upon Her Majesty's Government, without delay, to use their best efforts to remove these obstacles without resorting to the intermediate process of a Royal Commission. We know perfectly well what is the effect of the appointment of these Royal Commissions, when there is really nothing the Commissioners can recommend, and it is simply a question of policy to be undertaken. We had an example of the sort of assistance that a Royal Commission furnishes to the Government in the case of the question relating to employers and workmen, a very difficult subject requiring the consideration of Her Majesty's Government, and which was referred to a Royal Commission. There the facts of the case were already well-known; but, as Her Majesty's Government were not prepared to deal with the question, they referred it to a Royal Commission. The Commission furnished the Government with very little additional information, but the Commissioners made some valuable recommendations in their Report. Those recommendations, however, were entirely thrown over by the Government, and therefore the only result of the appointment of the Commission was—what it will be in this case—to obtain a short respite for the Government and, what they wanted particularly, a further delay. I hope, however, that Her Majesty's Government will, at all events in the present case, be able to assure us that the second as well as the first Circular will be suspended pending the inquiry by the Royal Commission, and until the Government have had an opportunity of making up their minds what they will do with regard to this subject.

I now advert to the paragraph which mentions the state of our foreign relations. Her Majesty informs us that events have taken place which have again brought to notice what is known as "the Eastern Question." There is no doubt the events of last autumn—the insurrection in Bosnia and in Herzegovina, and the partial repudiation of its Debt and engagements by the Turkish Government — have produced a great change in the feeling of the people of this country in regard to the Turkish Government. The insurrection has shown, at all events, that the Turkish Government has not been able to conciliate the goodwill and loyalty of its subjects. The reports which have been received through the Press in consequence of that insurrection have shown that in many Provinces of Turkey great misgovernment and consequently great disturbance still exist. The partial repudiation of its Debt, to which I have referred, has reminded us that Turkey has embarked upon a career of maladministration and extravagance which if persisted in, must defy all the efforts of European States to save her. It is not extraordinary then that such events as these should have produced a great change in the public opinion of this country, but I think it would be a mistake if we manifest too much impatience in regard to these events. No doubt many among us have been disappointed at the results of the last 20 years—results so different from those which were expected to follow the exertions which were made in the Russian War on behalf of Turkey. But I think the House will forgive me if I quote some words which were spoken in this House in 1856 by my right hon. Friend the Member for Greenwich (Mr. Gladstone). Speaking in this House on the 6th of May, on the General Treaty of Paris, my right hon. Friend said—

> "Great Britain and France have not yet been able to afford a complete solution to the problem which has existed for 600 or 700 years. It was hardly a century and a-half ago when a Mahomedan Empire carried pillage, carnage, and terror throughout Europe; and now, since it has ceased to be an object of fear, it has become the principal cause of anxiety and solicitude to Europe. The juxta-position of a people professing the Mahomedan religion with a rising Christian population, having adverse and conflicting influences, presents difficulties which are not to be overcome by certain diplomatists at certain hours and in a certain place. It will be the work and care of many generations—if even then they were successful—to bring that state of things to a happy and prosperous conclusion."
> —[3 *Hansard*, cxlii. 93.]

It seems to me, Sir, that those words are as true now as they were 20 years ago, and they seem to me to convey to the House a salutary and somewhat needed warning against undue impatience with regard to the events which have recently occurred. No doubt a step has been taken towards a solution of the difficulty, though not in the direction which was indicated by Lord Palmerston—namely, in the direction of the reform of the administration of the Turkish Government; but it is a step which is as likely ultimately to favour a solution of the difficulty, being a step in the direction of increasing the independence of the

Christian subjects of the Porte. Her Majesty's Government say that Papers are to be laid before you respecting their action in supporting the Note presented by the Austrian Government. The House, I think, will wait till the full text of the Note is before them, and it is able to appreciate the exact amount and extent of the policy of Her Majesty's Government. Before giving any opinion upon the action of the Government, I am not disposed to raise any preliminary objection to the action which Her Majesty's Government has taken. I have no doubt that, as far as it was in their power, they have taken steps to maintain the independence of the Porte. I even think the Members of the Government who concluded the Treaty of Peace of 1856, provided the interference was of a proper and respectable character, would not have objected to the interference which has taken place. Lord Palmerston, who was himself one of the greatest supporters of the independence and integrity of the Ottoman Empire, would not have been averse to such interference as appears to have taken place. Speaking of the Firman referred to in the Treaty of Paris, that noble Lord said—

> "In fact, that it should be revoked is a thing which I hold to be as impossible almost, morally speaking, as that the sun should go backwards. That which is more possible, however, is that, for some time to come, cases will arise in which the Firman will not be fully executed by the authorities of the Porte in distant provinces, and in places not immediately under the view of the Consuls; and if that should occur, the fact of the Firman having been adverted to in the Treaty, and the issuing of it having been recorded in the Treaty, would give to the Allied Powers that moral right of diplomatic interference and of remonstrance with the Sultan which I am perfectly convinced would be quite sufficient to accomplish the desired purpose."—[3 *Hansard*, cxlii. 125-6.]

We can hardly say that the contingency anticipated by Lord Palmerston has not arrived, and that something more than Lord Palmerston anticipated has not happened. Indeed, it may be almost said that the Firman to which Lord Palmerston alluded has not been put into execution at all. Well, then, according to Lord Palmerston, the right of the Powers to intervene diplomatically is preserved, and I trust that the Papers to be laid on the Table of the House will show that the intervention has not exceeded those limits pointed out by Lord Palmerston on that occasion.

Before I sit down I wish to make one or two observations upon the purchase, referred to by Her Majesty, of shares of the Khedive in the Suez Canal. I hardly know, Sir, whether I ought to allude to this transaction as being connected with the Eastern Question. But if I regard the time when the purchase was made, when the great Northern Powers appeared to suppose that they could take the affairs of Turkey into their own hands without much consultation with the other Powers of Europe, if I take into account the almost unanimous opinion expressed by the Press, and by the public generally where opportunity has been given, I should say that this purchase was intimately connected with the Eastern Question. But, on the other hand, if I take the words of Lord Derby, the Secretary of Foreign Affairs, at Edinburgh, I am forced to come to the conclusion that the purchase had no connection whatever with the Eastern Question; that it was undertaken solely upon its own merits; that it would have been undertaken last year before the Eastern Question had arisen, or it might have been undertaken next year after the Eastern Question is settled, if the opportunity had arisen. Well, Sir, in this conflict of evidence, I for one have no hesitation which way to decide. Lord Derby says that all foreign nations are in the habit of believing what we say; and if foreign nations are in the habit of believing what our Government says, much more is the House of Commons in the habit of believing the clear explanations of Her Majesty's Government. Therefore, though I do not say for one moment that this purchase may not have consequences far wider and greater than were referred to by Lord Derby, or than the consequences which, according to Lord Derby, determined the Government to undertake the transaction, these consequences may or may not have been foreseen by the Government; but I will take from Lord Derby that the purchase was determined on considerations altogether irrespective of what is called "the Eastern Question." I prefer in my remarks on the subject to touch the matter from the Government point of view, and to endeavour to obtain from the Government some explanation of the transaction on their own basis. This perhaps is the proper time, and it may be the only time, when one or two observations may be made upon the conduct of the Government in not at once resorting to the advice of Parliament for the confirmation of their action in this matter. The transaction was one of sufficient importance to have justified that course. The sum involved, although perhaps not a large sum in proportion to the interests at stake and the objects in view, was nevertheless not an inconsiderable sum, and when we consider the jealousy with which this House insists that every small item of the ordinary national expenditure, which varies little from year to year, should be submitted to the rigid scrutiny of this House, it does seem extraordinary that a day's unnecessary delay should have been allowed to elapse before the opinion of the House of Commons was taken on this large, extraordinary, and altogether unprecedented purchase. I may be told that the decision of the Government had to be an immediate decision; that Parliament is not more pledged now than it would have been in December to reject or confirm the transaction, and therefore no advantage would have been gained by an earlier summoning of Parliament. It may be true that Governments have had before now to decide grave matters on their own responsibility, sometimes even on a declaration of war, but it is, I hold, a Constitutional practice, and also a salutary practice, that in cases of this kind Parliament should be called together, though the decision of the Government may not be irrevocable, and that Parliament should have, as it has not had, the opportunity of expressing its approval of, or its dissent from, the policy of the Government. And surely there would have been very great advantage if this course, which I think the proper course, had been taken. If Parliament had been summoned and the Government had at once laid before it the exact nature of the transaction in which they were engaged, the motives which had prompted them, the objects which they intended to secure, and the use to which they intended to put the property that they had acquired, they would have prevented a great many misconceptions and many mischievous exaggerations which have prevailed both in this country and abroad. Such a course would have prevented many mischievous speculations, and would have prevented some disappointment. It would also have shown the confidence which the Government reposed in the wisdom of Parliament in resorting to their advice on an occasion of so much importance. But, taking the matter as it was explained by Lord Derby at Edinburgh, we know that what the Government wanted, and what they think they have obtained, is an additional security for that which is to us a necessity—a free and uninterrupted passage through Egypt to India. What the House and the country, I believe, desire to know is somewhat more precisely in what way they have accomplished those objects. When we speak of additional security that has been obtained, it would be as well to know, in the first place, whether we are talking of additional security in time of peace or in time of war. If you are speaking of a time of war, I fail to see what change has been made in our position by the purchase of these shares. I believe that the territorial sovereignty over the Canal belongs to the Khedive, or perhaps rather to his Suzerain the Sultan. At all events, the territorial sovereignty of the Canal is not in the hands of the country which has purchased the shares. I apprehend that in case of war, unless the Khedive were an active ally of either party, it would be his duty to close the Canal, as it would be his duty in the same way to close any other part of his dominions to the troops or the ships of either belligerent. At any rate, the Company have no control over the Canal; and therefore, if we are speaking of a time of war, it is very doubtful how far we have obtained by this purchase an uninterrupted passage through Egypt to India. Then if we are speaking of the time of peace it must be remembered that whether the shareholders are French or English or of whatever nation, a commercial company, acting on commercial principles, their object is dividend; and it is difficult to see how that dividend was to be secured if a free and uninterrupted passage through Egypt was not allowed to that State which possesses, as we are told, three-fourths of the traffic which passes through the Canal. I do not for a moment deny that questions have arisen in which the interest of the shareholders has conflicted, or has been supposed to conflict, with the interest of the shipowners. But the Government of this country has intervened, as it had a right to do, as the representative of the greatest shipowning country in the world, and it has intervened successfully, and by the interference of the Khedive and the Sultan this country has, as it was entitled to do, held the Company to the engagements to which it was bound by its concessions. I do not deny that if we had acquired the whole of the shares in the Company held in private hands, or had acquired a preponderating part of those shares, we might have had it in our power to make very great improvements in the Canal and in its administration, which might have been of great advantage not only to ourselves, but also to the other nations making use of it. But we do not know at present what share in the management of the Canal we have obtained by the purchase we have made. It appears to be certain, at all events, that in the councils of the General Assembly of the shareholders our influence is a very limited one indeed. We have never been told whether we shall be represented at all by the share we have obtained, or even, if so, to what extent, in the directorate of the Canal; and, as far as the information given to the public goes, we do not know what authority for the improvement of the Canal or of its administration has been secured by this great purchase of the Government. I also admit that if we had acquired ordinary shares of the Company—shares entitled to dividend—we might have had a very large indirect and moral influence in the management of the affairs of the Canal, though we might have had very little direct influence. But, unfortunately, the shares bought by the Government are, it seems to me, shares that do not tend to give us any influence whatever, either indirect, direct, or moral, of any kind, in the councils of the shareholders. Our influence with the shareholders, as far as I can ascertain, is of a totally distinct character from that of ordinary shareholders; for whereas the ordinary shareholders naturally desire to secure an immediate dividend, we, under any circumstances, are not entitled to any dividend for the next 19 years, and therefore our interest is not identical with, but entirely opposed to, that of the ordinary shareholders. Their interest is to postpone works for the improvement of the Canal, and to do everything to secure present profit. To us present profit is of no moment. What our interest is, is to put the Canal in the best possible condition during these 19 years. Therefore, we do not appear to have obtained in the councils of the shareholders any voice in the management of the Canal at all commensurate with our purchase, or that directly or indirectly we have acquired such an interest as some people may choose to imagine. Supposing, however, that a satisfactory answer can be given to these questions, and that the Government can clearly show that, as Lord Derby said, we have obtained additional security for our communications with India, the House will desire to look narrowly at the manner in which this has been effected. And now as to the manner in which the transaction has been carried out. It appears to me to be a mistake to say that we have paid £4,000,000 for these shares. We are not entitled to the dividends for 19 years, and I have seen it calculated —and I believe the calculation is an accurate one—that the present value of the shares we have purchased is about £1,250,000 or £1,500,000 sterling. Admitting it to be right that this country should not make an usurious bargain with the Khedive, the deferred value that we would have to pay him may be taken at £2,000,000, or, in other words, we are investing £2,000,000 for the sake of £200,000 a-year to be paid by the Khedive. No clear explanation up to the present time has been given of this transaction; but, taking it in connection with the mission of the right hon. Gentleman the Member for Shoreham (Mr. Cave), it appears to mix us up in an extraordinary manner with the finances of the Khedive. Lord Derby, in his speech at Edinburgh, disclaimed any idea of a Protectorate of Egypt; but do not these two transactions look something very like a financial Protectorate over Egypt? The House will, I think, await with some curiosity the explanation of the Government as to its financial dealings with the Khedive. The investment of £2,000,000 in a loan to the Khedive is either an investment that was made on exceedingly bad security, or else, if we are going to undertake to put the finances of the Khedive on a satisfactory footing, we are embarking in a very large and very hazardous enterprize. When the Papers are laid on the Table, I hope they will furnish the fullest information as to the instructions which the Government gave to the right hon. Gentleman the Member for Shoreham; for I cannot help thinking that the Government of this country is placed in a somewhat unenviable position by what has taken place since the mission of the right hon. Gentleman began. It cannot be satisfactory to the Government, certainly it is not satisfactory to hon. Members of this House, to know that every Stock Exchange in Europe has been agitated from day to day by reports of the proceedings of the Envoy of our Government; that one day it should be reported that the Envoy is coming home, having quarrelled with the Khedive, and that stocks should consequently fall, whilst on the next day it should be reported that the Envoy is on good terms with the Khedive, and that the stocks should immediately rise. I trust the Government will clearly explain to the country and to Europe what is the nature of the mission with which the right hon. Gentleman has been charged, and what course the Government intend to pursue in regard to Egypt. I believe the Government will admit that there is a great deal to explain, and on them rests the burden of proving that the action they have taken was necessary for the security of the Empire. They will not deny, I think, that such transactions as the present are of a delicate nature, and only to be entered into from high political and national considerations. Conducted even without the machinery of the Stock Exchange, they would be of doubtful policy. Our Government is not adapted to interfere in the management of great industrial enterprizes of this kind; their interference in such matters would rather check than encourage private enterprize and energy. We know, however, that such transactions as this cannot be conducted without the assistance of the machinery of the Stock Exchange, and of course suspicion is easily awakened as to the character of the operation. Even in the present instance large dealings are spoken of, and reports are current of large fortunes being made. Probably there is no other country in Europe where such a transaction as this would have been effected without the character of the public men negotiating it being suspected. In our case, thank Heaven, no such suspicion can be whispered; but I believe that if such transactions as this should ever unfortunately become the rule, not even the character of English statesmen would escape being called in question. I think the Government, in this matter, have much to explain; but, at the same time, I have not desired in connection with it to speak in any Party sense. If I have appeared to criticize in a hostile spirit the transaction which the Government has entered into, it is because I have deemed it the best way to elicit the information which the House and the country desire. The Government, I think, will be glad to seize this opportunity of removing the misconceptions and exaggerations which have prevailed on the subject, and of laying before the country at this late hour a frank and sincere explanation of the policy which they have pursued. I feel that I have now detained the House long enough, and I will simply thank them for the patience with which they have listened to me.

MR. DISRAELI: There is one point on which I am most happy to agree with the noble Lord who has just addressed the House, and that is in his appreciation of the ability with which the Address was moved and seconded this evening. We are always gratified at a display of ability on either side of the House, for it is to the interest of all of us to sustain its reputation; and I am not using what some might suppose to be the conventional language of Parliament when I say that I have seldom seen the difficult and delicate task of moving and seconding the Address fulfilled more ably, or, so to speak, in a better House-of-Commons spirit than to-night. I am sure my hon. Friends must be gratified by the reception they experienced on both sides of the House, and by the courteous recognition of their ability by the noble Lord.

Having touched on this matter the noble Lord proceeded critically to analyze the contents of the gracious Speech from the Throne, and he took a course which, I think, on the whole was convenient, and was, in some degree, an example of his rhetorical skill, by passing to some points which, though mentioned in the Gracious Speech, are not at this moment of the extreme interest of those which occupy the earlier portion of it. From what I gathered the noble Lord seemed to approve the intended legislation. He seemed to think the subjects deserved the attention of Parliament; but he regretted that more details were not given of the character of the Bills about to be introduced. When the Bills are brought forward, however, I think the noble Lord will obtain, in the usual Parliamentary manner, those details which he requires.

The noble Lord seemed to treat as a mere idle phrase in the Speech from the Throne that there were other important subjects to which, if opportunity is permitted us during the Session, we shall also, besides those noticed, call the attention of Parliament. I can assure the noble Lord that that was not an idle phrase; but it appeared to us that we had of late years—both parties—rather got into the habit of giving a catalogue of measures, excellent in themselves, and which, no doubt, both sides sincerely wished to carry, but which experience had shown it was impossible to carry; and then Government was taunted at the end of the Session with their list of abortive measures, whilst those measures which they had passed—measures, perhaps, of much importance and utility —were forgotten in the reprobation excited against them by not completing the catalogue which they had announced. We have other important measures that are not specified in Her Majesty's Speech. They are quite ready; and if it is any satisfaction to the noble Lord, I may say there is a measure to prevent the pollution of rivers.

The noble Lord next proceeded to the Colonies, and touched on a subject which at this moment engages the feelings of the people of this country — namely, slavery. For my part, I do not pretend that this side of the House is more zealous than the other in its attempts to discourage and abolish slavery. It is a national policy. It is a policy accepted, and must be accepted, by all who attempt to carry on the business of this country. Each Party and every Government is influenced by the same motives, always working for the same end in this matter. I might appeal with confidence to the fact that the present Government have made strong efforts not only to discourage, but to abolish slavery, under circumstances in which it was previously thought impossible we could interfere. Originally the British Government terminated slavery within its own dominions; then the great passion of the people assumed another phase—it would not be satisfied until it had entirely abolished the slave trade; and I may say these two great objects have been virtually accomplished. But this country has always hesitated to attempt to interfere with what for convenience is called domestic slavery in other countries—firstly, because of our inability to deal with the evil; and, secondly, from the consciousness that our limited interference had a necessary tendency to aggravate the evil. But it did so happen that after the settlement of the war on the West Coast of Africa, Lord Carnarvon—than whom no Colonial Minister can be animated by a more powerful desire to sustain an anti-slavery policy—had an opportunity of which he availed himself, though it was considered a dangerous experiment, absolutely to terminate domestic slavery throughout the whole of that extensive region known as the protected districts of West Africa. I am not attempting to arrogate to ourselves any peculiar claim on the confidence of the House on this head. We are perfectly willing to admit that our predecessors—as I am sure our successors also, whoever they may be—would act exactly as we have acted. Still, I think I am justified in reminding the House of our conduct on the occasion I have referred to.

The noble Lord touched upon the two Circulars which have so much attracted the attention of the country. Now, with regard to that matter, I am perfectly ready to admit that the Government are responsible for the first Circular. I am myself responsible for it, although I did not see it. I hope I am not in the loose habit of fathering mistakes on some anonymous, obscure member of the Administration — probably a permanent clerk—and saying he is the guilty person — nothing of the kind. The Circular was issued under the usual circumstances, which ought to have insured, no doubt, a different result. The Government are responsible for it, though I am not here to defend it for a moment. But the country condoned the error — they were satisfied when it was recalled, and I need not dwell upon it further. To my mind the second Circular is a much more fit subject for our consideration. For that

Circular the Governnent is responsible. The second Circular was prepared by the Cabinet, under the direct influence of the Lord Chancellor; and, in our judgment, it is an accurate declaration of the law so far as it is possible to express the instructions which have to be laid down for the guidance of those who have to carry them out. Then the noble Lord says—"What is the necessity of any Circular at all?" Why, the necessity of Circulars is this—that our officers on foreign stations found themselves every now and then committing acts in the most innocent-minded manner which ended in actions being brought against them, damages being incurred, and compensation being paid by this country for them. Therefore, it is easy to understand why they should appeal for instructions. But, then, I am told, and we have been told to-night by persons sitting in this House of very great authority—we have been told that, and we have heard it every day for the last two or three months in the country—Why did you let your instructions be known?—why not have secret instructions? Now, I cannot agree with that suggestion. I think that great embarrassments, that great evils have arisen in this case from their being secret instructions, and there is nothing that I would more disapprove than of secret instructions for a regular and continuous conduct. It is intelligible that in a diplomatic arrangement, where you have to gain some particular point in a temporary and transient matter, you may find it necessary to give your negotiator secret instructions; but that you should have secret instructions for the fulfilment of a permanent duty, and that by officers of Her Majesty's ships, appears to me to be a most impolitic and unwise thing. I do not agree that we should not have made our instructions public in the last instance. I think they ought to have been made public from the first, and at all times, in order that the criticism of the country and public opinion might operate upon them, and I cannot doubt that the effect of this mutual assistance between the country and the officers would be highly beneficial to the latter in the fulfilment of their duties. Well, then, the noble Lord says—"But what is the use of issuing a Commission?"—a Commission which is to inquire into Treaties, into the stipulations of Treaties which are all to be found, no doubt, in the archives of the Foreign Office, and upon which your Law Officers ought to be able to give a definite opinion. But the Commission to which the noble Lord refers is not to look only into the stipulations of Treaties; but it is to look also into the state of public law, and see whether it is possible or necessary to alter that law which would require negotiations with foreign countries. It is not, then, a mere reference to the stipulations of Treaties, it is to consider the public law upon this subject—to see whether it is advisable that it should be altered, and how, by negotiation, those alterations can be effected. There is another reason for the inquiry besides these technical reasons which I think sufficient. The feeling of this country always will be on this question more or less deep, and it must be a satisfaction to the country to know that there should be a full and free and open inquiry into the subject by those most competent to form an opinion upon the matter; and therefore I cannot take that view of the case which the noble Lord does. I believe the proposition which Her Majesty has been graciously pleased to recommend to the notice of Parliament is a wise and will be a salutary arrangement. The noble Lord, having touched upon these topics with less fulness, he then proceeded to the great points of his speech.

First of all he called our attention to that part of Her Majesty's Speech in which She has informed the House that She has agreed to support the Austrian Note, which seeks to induce the Porte to carry out certain suggestions which it submits with the view of terminating the insurrection that exists in the provinces of Herzegovina and Bosnia. The noble Lord, although seeming to shrink on the present occasion from any objection to the course we have taken, expressed a fear that our intervention may have passed the line which we ought to have pursued. I do not think Her Majesty's Government acted differently from the course they should have taken in the case of the Austrian proposition. The Austrian proposition, as the House knows, is a public paper which contains a great many suggestions of changes in the administration of the Turkish Provinces in question, and many fresh proposals which, if adopted, no doubt would be favourable to the Christian subjects of the Porte. Suppose, for example, we had refused to recommend the Porte to give a favourable consideration of the Austrian Note. We should have placed ourselves in a position of isolation. As a general rule, I must say that that is not a position in public affairs which it is desirable for this country to take. Generally speaking, if you place yourself in a position of isolation and do not act with the other Powers, you may certainly in some cases avoid the imputation of having combined to bring about a result which in some degree you may not entirely approve; but you deprive yourself of the means and opportunity even in a business of which you greatly disapprove of mitigating much which you cannot sanction, and of preventing much which you would not adopt. In this case it was not our opinion that it was one in which we ought to hold aloof. But suppose we had taken another course. Suppose we had refused to sanction the Austrian Note. What would have been the consequence? The consequence would have been that the Sultan probably would have rejected it. The House must feel that this country would incur a great responsibility by taking a course which she could not sustain. It would not do to counsel the Sultan to reject the Austrian Note, and then, when he found himself opposed to all the Powers of Europe, shrink away and say—"We gave you that advice, but we are not prepared to support you in acting upon it." Would it have been prudent to support the Sultan under such circumstances in choosing the question of the government of a small province like Herzegovina as the occasion, perhaps, of deciding the fate of the Turkish Empire? I think that that course was not one which could have been pursued with any advantage. Now there was a third course proposed by eminent persons, and no doubt received the sanction of men whose judgment upon such matters is not to be despised, and that was a proposal for a Conference in the matter. Had we proposed a Conference upon the state of the insurrectionary provinces of Turkey the other Powers would scarcely have agreed to the Conference. In all probability the other Powers, who had their scheme and matured it after great sacrifices and difficulty, would not have accepted our proposal. But if we had succeeded in having a Conference—what could we have done at the Conference? We could only propose the very suggestions which are made in the Austrian Note, or some somewhat identical. There are subjects which we believe can be touched, and yet the independence of the Porte be respected, and subjects of that kind, perhaps identical ones, would, after all, had there been a Conference upon our advice, probably alone have been brought forward. Then I come to this—that, under these circumstances, there was no other course for England to take but calmly and gravely to consider whether it was not better and necessary—absolutely inevitable—to support the Austrian Note and advise the Porte to accept it. But before we did that we considered our course carefully. We did not act precipitately. We did not agree to the step without hesitation—prudent and proper hesitation. We did not suddenly change our mind and agree to the course of policy which we have approved. We received assurances from Russia and from Austria which to me are satisfactory, because, I am not ashamed to say, I believe they are sincere. And if what I have said were not sufficient to make the House approve of what we have done, I think, they will agree with us when I mention the last incident in this matter. Before we agreed to support the Austrian Note, it had been intimated to us, in the most unmistakable manner, that it was the desire of the Porte, however much it might be opposed to receive such a Note, that if such a Note were presented, England should not stand aloof. I hope, therefore, the noble Lord will not feel that there is any foundation for the fears he entertains—that we have embarked rashly on an intervention to which there could be no limit. So far as England is concerned, she is as free and as independent to act in this matter —if this attempt at a settlement of the Provinces should fail—as she ever was; and she will act in the manner which becomes those—as far as her present Administration is concerned—who wish to maintain the Empire of England, its independence, and its freedom in all those quarters which are affected by this great controversy.

I now come to the question of the Suez Canal. The noble Lord found a good foundation for his speech in our conduct in reference to the Suez Canal. The noble Lord's speech on the Suez Canal was of a peculiar kind, and it appeared to have affected the whole of his argument. Virtually he said this — "Did you embark in this speculation for the reason alleged by Lord Derby?"— and the noble Lord quoted words attributed to Lord Derby. Lord Derby has, in other places, alleged other reasons. I suppose the House is not surprised that there are more reasons than one. "Did you embark in this speculation for the reason alleged by Lord Derby at Edinburgh, or did you do it on account of the Eastern Question?" Well, first of all, I should like to know what the noble Lord means by the Eastern Question; and I should like to know what Member of the Government has ever used the words "Eastern Question" with regard to the Suez Canal? Why, Sir, the relations between the British Government and the Suez Canal are not relations of yesterday. This is not a subject kept in obscurity by Her Majesty's Government, or by the Government that has preceded us, who had also some experience of the Suez Canal and the nature and value of its property. The interest we felt in the Suez Canal had many ramifications. When we acceded to office two years ago, an International Commission had only just ceased its labours at Constantinople upon the dues of the Suez Canal, and upon the means of ascertaining and maintaining a limit of them, and it had arrived at reasons entirely protested against by the Proprietary. What was the state of affairs there? Lord Derby had to deal with them. The proprietary of the Canal threatened, and not only threatened but proceeded, to stop the Canal. They refused pilots; they threatened to change the signals; they took steps which would have intercepted that mode of intercourse with India. Well, what course did the English take? We appealed to the Suzerain—then more powerful on such questions than at present. But it was with extreme difficulty—it was only by exerting our influence at Constantinople, and also at Cairo, by the influence, not only of the Suzerain but of the Khedive himself, that the mischief was prevented. And how was it prevented? Why, affairs had got to such a point that a force of 10,000 men was ordered to the scene of action; and it was only at the last moment that the proprietary of the Canal gave up its hostile operations, but under protest — protest still continually renewed—calling upon the Porte, as Suzerain, to re-imburse and compensate them for the losses which they had experienced by adopting the tariff forced upon them. From that moment it became a matter of interest to those responsible for the government of this country to see what could be done to remedy those relations with the Suez Canal. It was a matter of immense difficulty, but still it was not neglected by the Government; for during that period, on more than one occasion, M. Lesseps came over here himself, and entered into communication with us as he had before with our Predecessors, but there was no possible means of coming to any settlement which would be satisfactory to the proprietary. Now what was the peculiar influence—a very transitory influence, but still an influence — by which we managed to bring about a tolerable state of affairs? Why, it was the influence of the Suzerain and the Khedive—principally, of course, of the Khedive. We found him—as Governments of England have generally found him—a faithful ally; one disposed favourably to consider every fair claim of this country. It was the influence of the Khedive, who was proprietor of a moiety, certainly of two-fifths of the shares, that counteracted the dissatisfied spirit of the proprietary. But it suddenly comes to our knowledge that the Khedive, on whose influence we mainly depended, is going to part with his shares. We received a telegram from Cairo informing us that the Khedive was anxious to raise a considerable sum of money upon his shares in the Suez Canal, and offered them to England. We considered the question immediately, and it appeared to us to be a complicated transaction—one to which there were several objections; and we sent back to say that we were favourably disposed to assist the Khedive, but that, at the same time, we were only prepared to purchase the shares outright. What was the answer? The answer was that the Khedive was resolved, if he possibly could, to keep his shares, and that he could only, therefore, avail himself of a loan. There matters seemed to end.

Then, suddenly, there came news to the Government of this country that a French Society — the Société Générale — was prepared to offer to the Khedive a large sum of money — very little inferior to the £4,000,000 — but on very onerous conditions. The Khedive communicated with us, and said the conditions were so severe that he would sooner sell the shares outright and—which I had forgotten to mention—that, in deference to his promise that England should always have the refusal of the shares if he decided to sell them, he offered them to the English Government. It was absolutely necessary to decide at that moment what course we should take. It was not a thing on which we could hesitate. We knew, on the 20th of November, that there was a French Society who was prepared—I say nothing about the terms—[An hon. MEMBER: Hear, hear!]—I say nothing about the terms, but they were severer than ours—to give the Khedive nearly £4,000,000 for his shares. Now, I must call the attention of the House to a remarkable diplomatic scene. The Papers will, no doubt, be laid on the Table of the House; but I quote from the French despatches in the Yellow Book placed upon the Table of the French Assembly. On the 20th of November it was believed in France that this French Society to which I have referred had succeeded, and had got the Khedive's shares, and the French Minister—not Ambassador, who was absent, but a gentleman we know and respect highly—M. Gavard—was absolutely instructed to call upon Lord Derby—I do not say for the purpose of pumping him —but to sound him whether England would tolerate the purchase of those shares by the French Society in question; and Lord Derby spoke with the utmost frankness on the subject. He said it was a very grave point; that he did not think England would view with favour the whole of the Khedive's shares passing to the French Company; that while we accorded to M. Lesseps the glory of this great work, and did not want the shares ourselves, we should be very glad if the Khedive retained his shares, and that things had gone on quietly, as we should have trusted to his just management. But, said Lord Derby, if you come to us for our opinion as to what the feelings of England would be in respect to the purchase of all those shares by France, I will frankly tell you that she would consider such a result as a calamity, and I certainly could not look with approval upon the accomplishment of such an arrangement. Well, on the 27th of November, the French Ambassador, the Marquis d'Harcourt, returned to England and called on Lord Derby upon the same subject—the Suez Canal shares of the Khedive; and it was to ask an explanation why England had bought them, and what was the intention of England in so doing. Therefore, within those seven days—between the 20th and 27th—all those various phases had occurred in the transaction, and during that period, having only had 48 hours, we did arrive at our decision. Lord Derby told the French Ambassador why we had decided. He said we should have been very well pleased if the thing had remained as it was; but that England could not see with satisfaction all those shares in the hands of one Company, and that, therefore, we had taken the step he came to inquire about. To pretend that Lord Derby has treated this business as a mere commercial speculation, as has been stated by an hon. Member of this House, is idle. If he did not act in accordance with the principles of high policy, I should like to know what high policy is, and how a man can pursue it. Apart from looking upon this as an investment, if the shares had been offered, and if there had been no arrangement of paying interest for 19 years, so far as I am concerned, I should have been in favour of the purchase of the shares. I should have agreed with Lord Derby in thinking that England would never be satisfied if all the shares of the Suez Canal were possessed by a foreign Company. Then it is said, if any obstacles had been put in your way by the French proprietors of the Canal, you know very well that ultimately it must come to force, and you will then obtain at once the satisfaction you desire. Well, if the government of the world was a mere alternation between abstract right and overwhelming force, I agree there is a good deal in that observation; but that is not the way in which the world is governed. The world is governed by conciliation, compromise, influence, varied interests, the recognition of the rights of others, coupled with the assertion of one's own; and in addition a general conviction, resulting from explanation and good understanding, that it is for the interest of all parties that matters should be conducted in a satisfactory and peaceful manner. Therefore I say that even if the arrangement had been such as the noble Lord assumes, and we had had but very little power in the representation and management of the Canal —even if that had been the case, I cannot doubt that the moral influence of England, possessing two-fifths of the shares in this great undertaking, must have made itself felt, must have had a considerable influence upon the conduct of those who managed the Company, and must have resulted in arrangements tending to mutual and general advantage. The noble Lord has sneered at our having only a few votes in a meeting of shareholders; but I think that one effect of the mission of Mr. Cave and Colonel Stokes will be to bring about a different result. It is not convenient at this moment—the House will understand when the negotiation is not absolutely finished that it is not convenient to enter into particulars; but I am justified in saying that, as far as one can form a judgment, there is every prospect of English interests being amply and adequately represented in the management of the Company. Then the noble Lord finds fault with us for not resorting to the advice of Parliament after we had completed the provisional transaction. He says—"This is a case of unprecedented expenditure, and you ought to have appealed immediately to Parliament." I would remind the noble Lord that it is not a case of unprecedented expenditure, because not a shilling has yet been expended. When the Bank Act was suspended Parliament was instantly summoned, because when the Bank proposed to pay for gold with paper the nation became much alarmed, and desired that the causes for such a course should be inquired into, in order that, if necessary, a Parliamentary indemnity should be given. There is no violation of the law in what has taken place. It is very much like a complaint I heard the other day, that we ought to have gone to the Bank of England, and not to the house of Rothschild, in reference to this purchase. The Bank of England would no more have advanced £4,000,000 for the purchase of these shares, and taken the responsibility of holding them upon themselves, than they would have paid off the National Debt. The Bank of England would have been ready, I dare say, if it were legal, to advance £4,000,000 to the Government. But the house of Rothschild did not merely advance £4,000,000. We said—"Will you purchase these shares on our engagement that we will ask the House of Commons to take them off your hands?" They did so. That was a great risk, and I believe they would not have undertaken it if they had not felt that it was of great consequence to the country that they should do so. It would be a rare and unexpected and unparalleled thing for the Bank of England, or any other bank, to undertake such a responsibility. Well, now, the noble Lord says he wants to know how this Canal purchase is to be an additional security for our route to India —is it in time of peace or in time of war that it is to be an additional security? Well, I have no hesitation in saying in time of peace, and I think I have shown him that our possessing this great interest in this undertaking, that our possessing this power and consequence, is an additional security to us—a security in times of peace. When the noble Lord asks me, Is it an additional security in time of war? I would say that I must refrain from entering into speculations of what England will do in time of war, or what will be the circumstances in the Mediterranean or the Levant in times of war. We are contemplating this purchase in reference to a time of peace, and we may form such conclusions as we like as to what might be its worth in a time of war. And in times of peace no one can doubt the advantage of this purchase, when you remember when we had not a share how we were then menaced with the shutting of the Canal. We know how there are a thousand ways, without authorizing the use of preponderating force, to assert our rights; there are a thousand ways of obstructing the navigation of the Canal, and if the interest we have obtained is merely for times of peace, it is a most important result. As for the assertion that in this affair the whole of what the noble Lord calls the "Eastern Question" is concerned, I have nothing to do with it. I have nothing more to do with that than with the idle observations that we hear every now and then on the course we have pursued—that we have changed our Eastern policy, and that we have substituted another policy for that which is the ancient policy of England. I utterly deny that. The policy of England in that part of the world is much more simple than would be suspected from the cloudy descriptions of it which one sometimes encounters. England is a Mediterranean Power; a great Mediterranean Power. This is shown by the fact that in time of war always, and frequently in time of peace, she has the greatest force upon those waters. Furthermore she has strongholds upon those waters which she will never relinquish. The policy of England, however, is not one of aggression. It is not Provinces she wants. She will not interest herself in the re-distribution of territory on the shores of the Mediterranean as long as that re-distribution does not imperil the freedom of the seas and the dominion which she legitimately exercises. And therefore I look upon this, that in the great chain of fortresses which we possess, almost from the metropolis to India, that the Suez Canal is a means of securing the free intercourse of the waters—is a great addition to that security, and one we should prize. Now, I think I have touched upon most of the subjects, except one, which the noble Lord treated upon, and that is the analysis of the price which the shares really ought to have commanded. I will not enter upon that subject at present, because on Monday next we shall have an opportunity of going, if necessary, and if desired by the House, into the most minute details of figures. All I will now say is, that I entirely protest against, and shall be prepared to show that there is no foundation for, the statement of the noble Lord. The fact is, that though we gave £4,000,000 for the shares, there were other £4,000,000 in a hostile quarter ready to be paid for the same shares. Therefore, it is not likely that there would be two competitors who were offering the same sum, if, as the noble Lord has so satisfactorily proved, we ought to have got the shares for half the sum we have given for them. But there will be a better opportunity on Monday for the noble Lord and his Friends to go into the subject in detail than would be fitting upon the present occasion, when all discussion upon it must necessarily be desultory; although I trust I have met most of the objections of the noble Lord as far as they go. On Monday next we shall again go into this question, when it may be sifted and it may be examined by men of different orders and tones of mind. Some may take an economical view of the subject, some may take a commercial view, some may take a peaceful view, some may take a warlike view of it; but of this I feel persuaded—and I speak with confidence—that when I appeal to the House of Commons for their vote they will agree with the country, that this was a purchase which was necessary to maintain the Empire, and which favours in every degree the policy which this country ought to sustain.

MR. GLADSTONE: If the House, Sir, will be good enough to favour me with its attention for a short time, I will at once seek to relieve hon. Members from the apprehension which will, perhaps, be uppermost in the minds of many, that what I am about to say at this peculiar hour will lead to a prolonged debate. I intend to confine my remarks to one or two points which will excite no controversy whatever between the two sides of the House, although they relate to the very important subject of what is termed "the Eastern Question," in respect of which I desire to discharge myself of what I feel is a peculiar responsibility cast upon me. I shall therefore make no reference whatever to the many interesting topics which have been dealt with by my noble Friend and by the right hon Gentleman, because I think with them that other opportunities are at hand when we shall be in a position to deal with them to a greater advantage than we could at the present moment. In referring to the Eastern Question, apart from the subject of the Suez Canal, the right hon. Gentleman appeared to be under the impression that the noble Marquess in his speech, not, perhaps, in the way of direct assertion, but of apprehension and doubt, had suggested something like a censure upon the conduct pursued by Her Majesty's Government in giving their adhesion to the Austrian Note. Now, Sir, for myself I have no authority, nor do I assume any, to explain the speech of the noble Marquess, but, speaking as one of the auditors of that speech, I must say that I am at a loss to conceive in what part of it, or in what words, the right hon. Gentleman discovered any such disposition on the part of the noble Marquess to question or censure this portion of the Government's policy. The noble Marquess, with that prudence and wisdom which marked the whole tenour of his speech, endeavoured to warn hon. Members and the public against expecting very speedy results from any intervention that might be attempted. In the wisdom of that warning we are all disposed to concur; but, if I rightly understood the noble Marquess he expressed his unhesitating approval of the conduct of Her Majesty's Government in giving their adhesion to the Austrian Note, so far as we are acquainted with the particulars—and we are of course very imperfectly acquainted with them. But I wish to say a word or two on this special question. If, indeed, any doubt or misgiving existed in the minds of any one as to the propriety of this proceeding on the part of Her Majesty's Government, I think that the reasons which the right hon. Gentleman has given for the course they have taken, would sufficiently justify their conduct in the matter. I, however, hope that in giving the reasons he has done for the acts of the Government the right hon. Gentleman did not intend to convey the idea that there are no other and broader and deeper motives for the step they have taken than those he has assigned. At any rate, I wish to explain to the House very clearly what I conceive to be morally and historically the position of this question as it concerns this country and its relations with the Turkish Empire. To do this satisfactorily I must revert to the period of the Crimean War, and perhaps the House will excuse me for making the reference, for I am, indeed, the only man in this House who was responsible as a Minister for leading the country into that war, and therefore I may be supposed to be in some degree cognizant of the views which led us to take that step, with regard to which there has been much diversity of opinion and much misrepresentation. What was generally understood to be the purpose of the Crimean War, was expressed in the phrase that we sought to maintain the integrity and independence of the Turkish Empire. That was a phrase which was a favourite with the public at that time. It implied that we were to make very vigorous efforts to repress the designs and attempts by the Russian Empire which appeared to be dangerous to the peace of Europe. Some persons thought that England had a separate interest in that war independent of that of Europe, but that was an idea that I never entertained. But in upholding the integrity and independence of the Turkish Empire I will venture to say for myself and the Government of that day that they entertained the strongest opinion as to the conditions which were requisite for that integrity and that independence. I am not going to refer to anything so slight and trivial and so likely to be misleading as individual recollections, but I point to facts which amount to demonstration of the proposition. References have been made to-night to the opinion of Lord Palmerston that he was most anxious to maintain the independence and integrity of Turkey. Lord Palmerston, there can be no doubt, was sanguine beyond most men in his belief that these would be maintained. He had a freshness and almost youthfulness of faith on the subject, which no one could regard without interest, especially when his long and distinguished life was approaching its close. But Lord Palmerston knew on all occasions that a vital and essential condition of that state of things was the redress of grievances within the Turkish Empire; that it was totally impossible in the face of Christian Europe that the state of things prevailing at that period between the Mahomedan Power and the subject Christian population, especially the Europeans, could be persisted in, and the people of these countries, anxious as they were to stop Russian aggression, never would have entered on that war unless they had received what they thought conclusive and sufficient guarantees that these grievances would be redressed. This was not a mere matter of individual opinion, and so strong was this feeling in Europe that in the very heat of the crisis the Sultan, by a most solemn instrument, was compelled to pledge himself, as far as the constitutions of the country would permit him, to redress those grievances, and to place them upon a religious—of course, I do not say a political—equality with the rest of his subjects. That instrument was one ot the great and fundamental facts of the time of the Crimean War, and my proposition is this—that, after the Crimean War, after that effusion of life and treasure, after Europe had been involved in the struggle, and its whole existence, as it were, suspended upon it for those years, and after it was made known to Turkey that it was absolutely necessary, in view of those who supported her, that stringent and effectual provision should be made for the redress of those grievances, it is doubly impossible after those facts have been placed on record, that the Government of this country could fold its arms and say that the relations of the Turkish Ruler and his Christian subjects are to us matters of no concern. We cannot now turn round and say—"We have no right to expect anything from the Sultan, and the Christian population of Turkey has no right to expect anything at our hands." I am most grateful, therefore, that Her Majesty's Government, instead of being actuated by that principle—a principle totally inconsistent with the facts of history and with the most obvious and most elementary obligations of national duty—have given in their adhesion to the Austrian Note. I do not enter fully into this question at the present moment, because I do not feel myself prepared to do so; but all I can say is, that I am most thankful that the Government have not taken a course of abstentation upon this important occasion. When we know the terms of Count Andrassy's Note, it will be our duty to consider them, and all further steps that are taken in this matter will be subject to the control and the government of this House. But at the present moment, recollecting as I do that there were many apparently friendly counsellors of the Government, at the period when they had this matter under deliberation, who were warning them—in the Press—to do nothing at all; I for my part congratulate and express my acknowledgments to the Government for declining to be inveigled and misled by those unwise counsellors. I will not now enter into the question whether the promises of the Ottoman Government with regard to its Christian subjects have or have not been shamelessly broken. This I must say—the Ottoman Government has been well represented to us in many of its personal Representatives. It has had Ministers of great ability within our memory; but, unfortunately, most of those men, whose energies and talents induced Lord Palmerston to entertain such sanguine expectations with regard to Turkey, have been removed by early death. In this country for nearly 30 years, I think, if not more, we have had the advantage of seeing the Porte represented at the Court of our Sovereign by a Minister who enjoys the respect and regard of all who have the pleasure of his acquaintance. When the Sultan of that extended Empire visited this country, the impression which his personal demeanour produced upon those who were brought into contact with him was an impression of the most satisfactory description. I think I am bound to say, in justice to the Ottoman Government, that I believe that the resolutions which were announced at Constantinople at the time when that Government promised internal reforms were sincerely made. But the difficulty of the case of Turkey is this—it has not, as a general rule, or it has only to a very scanty degree, a class of men of power, influence, education, and station, without whom it is impossible to give effect to the decisions of the Government. In certain cases, no doubt, improvements were effected shortly after the Crimean War, in accordance with the provisions of the Firman or Hatihumayoun which had been issued by the Sultan. It will be for the Government, when the time has arrived, to give us full information of the particulars of the recent intervention, and to give us such information as may enable us to judge whether the promises that were so solemnly made have been kept, and whether we have reason to hope that if those promises are now renewed, they will be more effectually kept in future. But I fear that a want of executive power will defeat the best intentions of the Government of Turkey. This proposition, for my own part, I maintain, that if promises such as these so solemnly given have really failed in their fulfilment, it is not possible to go on with a mere repetition of promises. Europe, the Christian conscience, and the conscience of mankind will expect some other sort of security for the redress of great and dreadful grievances than mere words can afford; and however desirous we may be to maintain the integrity and independence of the Turkish Empire, that integrity and independence can never be effectually maintained unless it can be proved to the world—and proved not by words, but by acts—that the Government of Turkey has the power to administer a fair measure of justice to all its subjects alike, whether Christian or Mahomedan. Believing myself that this is a subject on which we have no difference of opinion according to our political separation, and that at the same time it is a subject of great importance, I was very desirous to make these brief explanations, and I thank the House for the kindness with which it has listened to them.

MR. BUTLER-JOHNSTONE said, that if it had not been for the speech of the right hon. Gentleman who had just sat down (Mr. Gladstone), he should not have thought fit to present himself to the attention of the House; but the right hon. Gentleman had, under the cloak of approving a particular act of the Government, recommended a policy which was not the policy of the Government, and which he was happy to say was directly contrary to the spirit of the policy of the Government. The right hon. Gentleman had told them that by the insertion into the Treaty of Paris of the promise of reforms made by the Sultan on that occasion, European Powers had acquired the right—a moral right at any rate—to see those reforms properly carried out. He would ask whether that was a right which only dated from to-day, and whether, during all the many years that the right hon. Gentleman was at the head of affairs, he had once remonstrated in a friendly way with the Porte relative to the condition of the country, when those remonstrances might have been effective and could not be interpreted as hostile acts? Then, again, the right hon. Gentleman went back to the year 1856, at the close of the Crimean War. He (Mr. Butler-Johnstone) would ask to be allowed to go back to that year too, and to say that all the troubles and difficulties in which Turkey was at the present time involved were owing to what occurred at that epoch. The right hon. Gentleman had referred to Turkey as a despotic form of government. Well, previous to that year Turkey was the least despotically-governed country in the world. It was a government essentially of checks and counter-checks: the Pasha elected by the Divan, the Cadi by the chief of the Law, the local administration of the Provinces, all independent of each other, and at Constantinople no Imperial measure decided on without due deliberation by a Divan. In 1856, as a result of the Crimean War, the influence of European nations—of the Western nations—became predominant, and, under cover of this predominance, Ali Pasha introduced a revolution in the government of Turkey, from which it has ever since been suffering—namely, from being a constitutional government, he converted it into a despotism by the abolition of 'the constitutional Divan. What were the cardinal vices of the Turkish Empire at the present day? The first great grievance in Turkey was the maladministration of the Provinces, which arose principally from the fact that the Pashas were changed at the mere will of the Sovereign. The under-officials, when the eye over them was being constantly changed, became corrupt; but, in former times, the Sultan had no power to change the Governors of Provinces without consultation with his Divan. Another source of corruption was that Firmans and decrees were continually being passed by the Sultan and were not yet obeyed in the Provinces. Thirdly, there was the financial condition arising from its Debt. Now, each one of these vices arose from the pernicious change introduced when the Divan was abolished and the Government of Turkey revolutionized into a despotism. These Firmans and decrees had no binding force in Turkey, because no arbitrary decrees could by the Constitution of Turkey—which was centuries old and had never been legally abolished—be issued; and if you wished to see these decrees and Firmans enforced and carried out, you must try to bring about the revival of the old Turkish Constitution. If your efforts were devoted to this end, you might effect a great and beneficial reform in the Turkish Empire which mere adhesion to the Austrian Note could never effect. If the Government thought that the reception of the Andrassy Note was the conclusion of the Eastern difficulty, he could only congratulate them upon their simplicity. He trusted that the Government would preserve absolute freedom of action, so that in time to come their policy might not be fettered. Anybody who expected that the Ottoman Empire had no sources of vitality in it would be entirely disappointed. As to the Suez Canal purchase, he did not remember such another unanimous verdict of approval in this country as had ratified that transaction, therefore it was not worth while to defend it. He would only venture this criticism, that the new order of things which had been introduced by this purchase seemed to recognize the importance to us of the marine highway to India; but this highway could not be of much importance unless England was absolute mistress of the seas. She could not be this until she had annulled the Declaration of Paris, to which, in a fatal moment, she put her hand. The purchase of the Canal shares to him seemed to imply the annulling the Declaration of Paris.

MR. MITCHELL HENRY: I am one of those hon. Members who survived the horrors of the middle passage in the rush to the House of Lords this afternoon. I went into that Assembly in the hope of hearing something that would be satisfactory to that portion of the United Kingdom which my hon. Friends around me, and myself, as well as some of those on the other side of the House, represent. I confess that during that passage I thought that if the time comes, as I think it will come, when perhaps even Her gracious Majesty herself will open Parliament in another place, her retinue will be able to manage the ceremonial somewhat more respectfully so far as the Commons are concerned. I do not know if I should to-night have ventured to intrude upon the House of Commons, if it had not been for the observations which fell from the hon. Member for Downpatrick (Mr. Mulholland) who seconded the Address in reply to the Speech from the Throne, who expressed his satisfaction at a circumstance which, I feel certain, will produce an exactly opposite feeling across the Channel. The people of Ireland will not feel satisfaction at the statement that the condition of the country is a matter of absolute indifference to Her Majesty. The hon. Gentleman to whose speech I refer stated that Ireland was tranquil, that Ireland was prosperous, and he very justly said that the Irish people were thankful to Providence for the excellent harvest with which they were blest last year. The Irish people have, indeed, reason to be thankful to Providence, for it is little they get from man. When, however, he told us that there was satisfaction, prosperity, and tranquillity in the country, he might have remembered that at this present moment—the House of Commons may feel proud under the circumstances—that there are, I believe, now—within the last three weeks — six counties in Ireland enjoying the ordinary rights of British subjects. The rest of Ireland is under the galling code of coercion, which is the heritage of the last Session. Finding, as the Irish Members have, that the interests of their country are not sufficient to occupy the attention of Her Majesty's Government, and being desirous of showing their fellow-subjects in England that the statement that Ireland is governed by the same laws as this country is not the fact, they have decided to introduce Bills which will give this House an opportunity of pronouncing an opinion whether or not the statement that Ireland lives under English law is true or false. It is perfectly untrue that Ireland is governed by the same laws as England. The Parliamentary franchise, the municipal franchise, and the municipal privileges of Ireland are quite different from those of England. We have been so fortunate as to obtain in the Ballot such a position as will enable us soon to bring some of these matters before the House. The hon. and learned Gentleman, whom I am proud to follow, will submit to the House a subject which might have been thought well worthy of an intellectual Cabinet—a measure for improving higher education in Ireland. He will also introduce a Bill designed to amend some glaring and patent defects in the law relating to the tenure of land in that country. The other Bills which will be introduced will, at all events, show that there is on the part of the Irish people a determination that no stone shall be left unturned to show to the Houses of Parliament that they desire to be judged fairly. If their legislation is neglected they will, as far as they can, and as long as they are obliged to come to this House for their local legislation, endeavour to repair the errors which I think will be shown to exist, and which might have met with some attention on the part of Her Majesty's Government. I can only say that they will give the House of Commons an opportunity of learning what it is that Ireland demands. There will be no shrinking from any debate on the subject of the demand of Ireland for the restoration of her national Parliament and for the modification of the powers of that Parliament. Although I will not touch on the subject of foreign policy, which Her Majesty's Ministers think quite sufficient to fill all the void in the minds of the people of England and Ireland—for it appears that we are to have a Session devoted chiefly to foreign policy—I wish to guard against the idea that Ireland concurs in or is satisfied with the foreign policy of England. The Irish people are disposed to support a policy founded on good faith and justice, and which will make this great country invulnerable to its enemies. To effect this, however, they must be united among themselves; and if the tone of the speech of the hon. Member for Downpatrick (Mr. Mulholland) is to be regarded as an expression of the sentiments of this House, I am sure they will not be united. It is a calumny to say as, I trust, will be proved to demonstration in the course of this Session, that it is the intention of the Irish Members to obstruct legislation in this House. Their desire, on the contrary, is that the grievances of their country should be redressed, and they will endeavour to give the Government and the House an opportunity of redressing them.

Mr. RONAYNE said, he had also heard with great astonishment the hon. Member for Downpatrick (Mr. Mulholland) congratulate his country on being treated with sovereign contempt. With regard to the alleged prosperity of Ireland, if the statements he had been hearing on that subject from his youth upwards, from Lords Lieutenant, and in Speeches from the Throne, were true, Ireland ought to be the wealthiest and most prosperous country in the world. He knew nothing personally about the linen trade of the North, which the hon. Member had described as being in a prosperous condition, but he had been assured by many gentlemen who were connected with that trade that for the last three years it had been the reverse of prosperous, and that there was nothing but grumbling and growling at its state. If bad trade, small profits, short time for the workers, and several heavy failures were evidence of prosperity the hon. Member was right, not otherwise. With regard to the rest of the country, if the hon. Member had given them the number of Civil Bill processes, the number of notices to quit, and the number of ejectments which had been issued last year he would have furnished them with some means of forming an idea of the prosperity of the country. The Chairman of the Munster Bank, a Member of that House, had recently stated to his constituents that last year was the worst the bank had ever had. With respect to the deposits in the Irish banks, which had been said to have increased, they did not, taken altogether, equal the amount deposited in the London and Westminster Bank alone. He denied that the increase of deposits in the Irish banks was any proof of the prosperity of the country; the reason was that the people had more security now than they felt they had formerly, and they now kept less money in their own hands, and they were encouraged to do so because, in addition to security, they also received interest upon their deposits. Some years ago there were several grounds which prevented them from having any confidence in the banks, and among them such banks as the Sadlier's banks. It was true that labouring men in Ireland now had better wages and more continuous occupation than they used to have, but a shilling used to go twice as far as it did now, and the existence of higher wages was owing to the fact that there were fewer hands. You had got rid of the surplus population, half of them had gone to their graves and half to America, and, of course, the people that remained were better off; but that did not prove that Ireland was wealthier or more productive. For instance, if two persons had a little shop by which they earned 10*s.* a-week between them, they would be starving, if you killed one, the other would be comparatively well off, but that would be no proof that the shop was producing any more. The produce of Ireland had decreased, the land of Ireland was going out of cultivation, and the people were decreasing, and he could not therefore allow the House to be misled by a misstatement as to the prosperity of the country which was not borne out by facts. These things indicated in other countries decline, but in Ireland they were regarded as signs of prosperity.

Mr. WARD said, that the Irish Members in that House and the people of Ireland outside its walls were aware that Ireland was neglected, and had not the just measure of legislation that she was entitled to. They were told that if they brought the grievances and requirements of Ireland before the English Parliament, they would obtain a just consideration and redress. Now, he must say that there were many, very many questions in Ireland which called for just legislation, and which had not yet received it; and it was only three years ago the then Prime Minister declared that the state of education in Ireland was intolerably bad and called for legislative improvement; yet now, after three years, there had not been a single proposal put forward by Her Majesty's Government to improve the state of education in that country. They were told that something was to be done for University education in England; but not a single proposition for relieving the educational wants of Ireland was made by the Government. The only other topic to which he would advert was one of some delicacy. He meant the question of dealing with the political prisoners. The present was a favourable opportunity for the Government to have done a graceful act by enabling Her Gracious Majesty to announce in Her Speech that there had been an end put to the imprisonment of those men who had already expiated any offence of which they had been guilty by a most cruel imprisonment of 10 years. There was a large mass of people in Ireland, and in England also, who considered it cruel and impolitic to keep those men in prison any longer, especially after the liberation of their leaders.

SIR JOHN SCOURFIELD wished that Her Majesty's Government would redress the grievances which arose in this country from the importation of cattle from Ireland. On one side of the water the Government Inspector passed the cattle, and on this side he stopped them. He considered it unjust to impose expenditure on one county for carrying out the cost of quarantine in another. He thought instructions ought to be given to the Government Inspectors to regulate matters in reference to this question in a just and satisfactory manner.

MR. PARNELL said, the Prime Minister might be assured that the continued imprisonment of the Irish prisoners was not conducive either to the interests of humanity or the interests of his Government. It was not worth the while of the Government to keep Ireland in a chronic state of discontent by keeping these men in prison, and the Government could do nothing which would give such satisfaction to Irishmen as the release of the political prisoners. They were not even ringleaders, but brave soldiers and sailors who had fought well for England.

Motion *agreed to.*

Committee *appointed*, to draw up an Address to be presented to Her Majesty upon the said Resolution:—Mr. RIDLEY, Mr. MULHOLLAND, Mr. DISRAELI, Mr. CHANCELLOR of the EXCHEQUER, Mr. Secretary CROSS, Mr. Secretary HARDY, Mr. HUNT, Sir CHARLES ADDERLEY, Lord JOHN MANNERS, Mr. SCLATER-BOOTH, Viscount SANDON, Mr. ATTORNEY GENERAL, Mr. BOURKE, Viscount BARRINGTON, Sir JAMES ELPHINSTONE, Mr. WILLIAM HENRY SMITH, and Sir WILLIAM HART DYKE, or any Three of them:—To withdraw immediately.

House adjourned at a quarter after Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 9*th February*, 1876.

MINUTES.]—NEW WRITS ISSUED—*For* Huntingdon Borough, *v.* Sir John Burgess Karslake, knight, Manor of Northstead; *for* Enniskillen Borough, *v.* Viscount Crichton, Commissioner of the Treasury.

SELECT COMMITTEE—Printing, *appointed* and *nominated.*

PUBLIC BILLS—*Resolutions in Committee—Ordered—First Reading*—Intoxicating Liquors (Licensing Boards) * [6]; Permissive Prohibitory Liquor * [19]; Divine Worship Facilities * [30]; Merchant Shipping Acts Amendment * [34]; Publicans Certificates (Scotland) * [45].

Ordered—First Reading—Game Laws (Scotland) * [3]; Registration of Voters (Ireland) * [4]; Burghs and Populous Places (Scotland) Gas Supply * [5]; Municipal Franchise (Ireland) * [7]; Electoral County Boards (Ireland) * [8]; Coast and Deep Sea Fisheries (Ireland) * [9]; Land Tenure (Ireland) * [10]; Increase of the Episcopate [11]; Waste Lands (Ireland) Reclamation * [12]; Training Schools and Ships * [13]; Elementary Education Act (1870) Amendment * [14]; Employers Liability for Injury * [15]; Elementary Education (Application for School Board) * [16]; Borough Franchise (Ireland) * [17]; Barristers and Advocates Fees * [18]; Women's Disabilities Removal * [20]; Ancient Monuments * [21]; Grand Jury Presentments, &c. (Ireland) * [22]; Employers and Workmen Act (1875) Extension * [23]; Monastic and Conventual Institutions * [24]; Church Rates Abolition (Scotland) * [25]; Sea Insurances (Stamping of Policies) * [26]; Banns of Marriage (Scotland) * [27]; Metropolis Gas Companies * [28]; House Occupiers Disqualification Removal * [29]; Municipal Officers Superannuation * [2]; Real Estate Intestacy * [31]; Orphan and Deserted Children (Ireland) * [32]; Imprisonment for Debt Abolition * [33]; Offences against the Person * [1]; Free Libraries and Museums * [35]; Medical Act Amendment (Foreign Universities) * [36]; Parish Ministers (Scotland) (Exemption from Rates) * [37]; Sale of Intoxicating Liquors on Sunday (Ireland) * [38]; Municipal Privileges (Ireland) * [39]; Landlord and Tenant (Ireland) Act Amendment * [40]; Towns Rating (Ireland) * [41]; Wild Fowl Preservation * [42]; Legal Practitioners * [43]; Judicature Act (1875) Amendment * [44]; Election of Aldermen (Cumulative Vote) * [46]; County Infirmaries (Ireland) * [47]; Burgesses (Scotland) * [48].

THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.

Report of Address *brought up*, and read.

Mr. BENTINCK said, he was anxious to take that opportunity of expressing the regret he felt, and which he believed would be very widely shared by the House, that in the gracious Speech from the Throne no allusion was made to the present condition of the Royal Navy of this country. He could not doubt that the people of the country regarded the management of the affairs of the Navy and its condition as highly unsatisfactory. He would not go into the matter then; but he considered this a question of primary importance, and he regretted that there was no acknowledgment on the part of the Government that this was a vital question. He trusted that Her Majesty's Government would not repeat the policy which they indulged in, and which they inherited from their Predecessors of allowing the Navy Estimates to be brought forward at a time when it was not possible that they could be properly discussed. The importance of this subject was paramount to that of every other question that would be brought before the House. He hoped that the Navy Estimates would be laid before the House at the very earliest period, so that they might be properly examined and discussed.

Address *agreed to*:—To be presented by Privy Councillors.

SUPPLY.

Resolved, That this House will, upon Friday, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty.

WAYS AND MEANS.

Resolved, That this House will, upon Friday, resolve itself into a Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majsty.

INCREASE OF THE EPISCOPATE BILL.

LEAVE. FIRST READING.

Mr. BERESFORD HOPE moved for leave to bring in a Bill for enabling Her Majesty and Her Successors to divide Dioceses, and to erect additional Bishoprics in England and Wales.

Mr. DILLWYN said, that, assuming the Bill to be the same as that brought in last year, he had some doubts whether he ought not to ask the House not to allow its introduction. He knew that it was the practice of the House to allow the introduction of Bills, and he thought it was sometimes a very inconvenient practice. He considered that this was not a Bill which ought to be brought in by a private Member. He thought that last year, with reference to this Bill, his hon. Friend, himself a model of academic propriety, strained the Forms of the House, and had not shown the consideration which might have been expected from him. However, two wrongs did not make one right, and he did not like sharp practice, and he would not meet discourtesy by discourtesy. In the hope that his hon. Friend would not resort to the tactics adopted last Session, and that Members might not be put to the trouble of carefully watching the Bill, he would not oppose its introduction.

Motion *agreed to*.

Bill for enabling Her Majesty and Her Successors to divide Dioceses, and to erect additional Bishoprics in England and Wales, *ordered* to be brought in by Mr. Beresford Hope, Sir John Kennaway, and Mr. Thomas Brassey.

Bill *presented*, and read the first time. [Bill 11.]

PRINTING.

Select Committee *appointed*, "to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—Mr. SPENCER WALPOLE, Mr. HENLEY, Mr. CHANCELLOR of the EXCHEQUER, The O'CONOR DON, Mr. HUNT, Mr. STANSFELD, Mr. SCLATER-BOOTH, Mr. DODSON, Mr. MASSEY, Mr. WHITBREAD, and Mr. WILLIAM HENRY SMITH:—Three to be the quorum.—(*Mr. William Henry Smith.*)

GAME LAWS (SCOTLAND) BILL.

On Motion of Mr. M'LAGAN, Bill to amend the Laws relating to Game in Scotland, *ordered* to be brought in by Mr. M'LAGAN, Sir WILLIAM STIRLING MAXWELL, Sir EDWARD COLEBROOKE, and Mr. JOHN MAITLAND.

Bill *presented*, and read the first time. [Bill 3.]

REGISTRATION OF VOTERS (IRELAND) BILL.

On Motion of Mr. MITCHELL HENRY, Bill to amend the Law with reference to the Registration of Parliamentary Voters in Ireland, *ordered* to be brought in by Mr. MITCHELL HENRY, Mr. MELDON, Mr. SMYTH, Mr. SHAW, and Mr. SULLIVAN.

Bill *presented*, and read the first time. [Bill 4.]

BURGHS AND POPULOUS PLACES (SCOTLAND) GAS SUPPLY BILL.

On Motion of Sir WINDHAM ANSTRUTHER, Bill to make provision for lighting Burghs and Populous Places in Scotland with Gas, *ordered* to be brought in by Sir WINDHAM ANSTRUTHER, Mr. ORR EWING, Mr. GRIEVE, and Mr. WILLIAM HOLMS.

Bill *presented*, and read the first time. [Bill 5.]

INTOXICATING LIQUORS (LICENSING BOARDS) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the election of Boards for granting Licences for the sale of Intoxicating Drinks.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. JOSEPH COWEN, Sir HENRY HAVELOCK, Mr. BURT, and Mr. NORWOOD.

Bill *presented*, and read the first time. [Bill 6.]

MUNICIPAL FRANCHISE (IRELAND) BILL.

On Motion of Major O'GORMAN, Bill to amend the Law relating to the Municipal Franchise in Ireland, *ordered* to be brought in by Major O'GORMAN, Mr. BUTT, Mr. RICHARD POWER, and Sir COLMAN O'LOGHLEN.

Bill *presented*, and read the first time. [Bill 7.]

ELECTORAL COUNTY BOARDS (IRELAND) BILL.

On Motion of Captain NOLAN, Bill for the establishment of Electoral County Boards in Ireland, *ordered* to be brought in by Captain NOLAN, Mr. O'CLERY, and Mr. FAY.

Bill *presented*, and read the first time. [Bill 8.]

COAST AND DEEP SEA FISHERIES (IRELAND) BILL.

On Motion of Dr. WARD, Bill for the regulation and encouragement of the Coast and Deep Sea Fisheries of Ireland, *ordered* to be brought in by Dr. WARD, Mr. BUTT, Mr. COLLINS, and Sir JOSEPH M'KENNA.

Bill *presented*, and read the first time. [Bill 9.]

LAND TENURE (IRELAND) BILL.

On Motion of Dr. WARD, Bill to amend the Laws relating to the Tenure of Land in Ireland, *ordered* to be brought in by Dr. WARD, Mr. BUTT, Mr. RICHARD SMYTH, Mr. MELDON, and Mr. ENNIS.

Bill *presented*, and read the first time. [Bill 10.]

WASTE LANDS (IRELAND) RECLAMATION BILL.

On Motion of Mr. PARNELL, Bill for the Reclamation of Waste Lands in Ireland, *ordered* to be brought in by Mr. PARNELL, Mr. MACCARTHY, and Captain NOLAN.

Bill *presented*, and read the first time. [Bill 12.]

TRAINING SCHOOLS AND SHIPS BILL.

On Motion of Captain PIM, Bill for the provision, regulation, and maintenance of County Training Schools and Training Ships, *ordered* to be brought in by Captain PIM and Mr. COOPE.

Bill *presented*, and read the first time. [Bill 13.]

ELEMENTARY EDUCATION ACT (1870) AMENDMENT BILL.

On Motion of Mr. DIXON, Bill to amend "The Elementary Education Act, 1870," by making obligatory in England and Wales the attendance of Children at School and the formation of School Boards, *ordered* to be brought in by Mr. DIXON, Mr. MUNDELLA, Sir JOHN LUBBOCK, and Mr. TREVELYAN.

Bill *presented*, and read the first time. [Bill 14.]

EMPLOYERS LIABILITY FOR INJURY BILL.

On Motion of Mr. MACDONALD, Bill to amend the Law relating to the liability of Employers for Injuries negligently caused to persons in their employment, *ordered* to be brought in by Mr. MACDONALD, Dr. CAMERON, Mr. MELDON, and Mr. BASS.

Bill *presented*, and read the first time. [Bill 15.]

ELEMENTARY EDUCATION (APPLICATION FOR SCHOOL BOARD) BILL.

On Motion of Mr. HEYGATE, Bill to amend "The Elementary Education Act, 1870," in respect of the period which must elapse between the rejection and renewal of a Resolution for application for a School Board, *ordered* to be brought in by Mr. HEYGATE, Mr. PELL, Mr. W. STANHOPE, and Mr. SAMPSON LLOYD.

Bill *presented*, and read the first time. [Bill 16.]

BOROUGH FRANCHISE (IRELAND) BILL.

On Motion of Mr. Biggar, Bill to assimilate the Borough Franchise of Ireland to that of England, *ordered* to be brought in by Mr. Biggar, Mr. Butt, Mr. Blennerhassett, Mr. Maurice Brooks, and Mr. Richard Power.

Bill *presented*, and read the first time. [Bill 17.]

BARRISTERS AND ADVOCATES FEES BILL.

On Motion of Mr. Norwood, Bill to enable Barristers at Law and Advocates to recover their Fees, and to render them liable at Law to persons employing them, *ordered* to be brought in by Mr. Norwood, Mr. Leeman, Mr. Charles Lewis, Mr. Sampson Lloyd, and Mr. Anderson.

Bill *presented*, and read the first time. [Bill 18.]

PERMISSIVE PROHIBITORY LIQUOR BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to enable Owners and Occupiers of Property in certain districts to prevent the common sale of Intoxicating Liquors within such districts.

Resolution *reported:* — Bill *ordered* to be brought in by Sir Wilfrid Lawson, Sir Thomas Bazley, Mr. Downing, Mr. Richard, Dr. Cameron, Mr. Dalway, and Mr. William Johnston.

Bill *presented*, and read the first time. [Bill 19.]

WOMEN'S DISABILITIES REMOVAL BILL.

On Motion of Mr. Forsyth, Bill to remove the Electoral Disabilities of Women, *ordered* to be brought in by Mr. Forsyth, Sir Robert Anstruther, Mr. Russell Gurney, and Mr. Stansfeld.

Bill *presented*, and read the first time. [Bill 20.]

ANCIENT MONUMENTS BILL.

On Motion of Sir John Lubbock, Bill to provide for the Protection of Ancient Monuments, *ordered* to be brought in by Sir John Lubbock, Mr. Beresford Hope, Mr. Russell Gurney, and Mr. Osborne Morgan.

Bill *presented*, and read the first time. [Bill 21.]

GRAND JURY PRESENTMENTS, &C. (IRELAND) BILL.

On Motion of Mr. Ronayne, Bill to provide for the better administration of public moneys now levied by Grand Jury Presentment in Ireland, and for the establishment of Representative Councils in the Irish counties for the management of local affairs, *ordered* to be brought in by Mr. Ronayne, Mr. Butt, and Mr. O'Shaughnessy.

Bill *presented*, and read the first time. [Bill 22.]

EMPLOYERS AND WORKMEN ACT (1875) EXTENSION BILL.

On Motion of Mr. Burt, Bill to extend the provisions of the Employers and Workmen Act of last Session to seamen whilst they are in British waters, *ordered* to be brought in by Mr. Burt, Mr. Joseph Cowen, Mr. Mundella, and Mr. Gourley.

Bill *presented*, and read the first time. [Bill 23.]

MONASTIC AND CONVENTUAL INSTITUTIONS BILL.

On Motion of Mr. Newdegate, Bill for appointing Commissioners to inquire respecting Monastic and Conventual Institutions in Great Britain; and for other purposes connected therewith, *ordered* to be brought in by Mr. Newdegate, Mr. Holt, and Sir Thomas Chambers.

Bill *presented*, and read the first time. [Bill 24.]

CHURCH RATES ABOLITION (SCOTLAND) BILL.

On Motion of Mr. M'Laren, Bill to abolish Church Rates in Scotland, *ordered* to be brought in by Mr. M'Laren, Dr. Cameron, Mr. Baxter, Mr. Trevelyan, Mr. Grieve, Mr. Laing, and Sir George Balfour.

Bill *presented*, and read the first time. [Bill 25.]

SEA INSURANCES (STAMPING OF POLICIES) BILL.

On Motion of Mr. Serjeant Simon, Bill to amend the Law relating to the Stamping of Policies of Sea Insurances, *ordered* to be brought in by Mr. Serjeant Simon, Mr. Hubbard, Mr. Norwood, and Mr. Rathbone.

Bill *presented*, and read the first time. [Bill 26.]

BANNS OF MARRIAGE (SCOTLAND) BILL.

On Motion of Dr. Cameron, Bill to abolish the system of proclaiming Banns of Marriage presently in force in Scotland, and to make due provision for the due publication of such Banns in Scotland, *ordered* to be brought in by Dr. Cameron, Mr. Baxter, Mr. Barclay, Mr. M'Laren, and Mr. Edward Jenkins.

Bill *presented*, and read the first time. [Bill 27.]

METROPOLIS GAS COMPANIES BILL.

On Motion of Sir James Hogg, Bill to amend "The Metropolis Gas Act, 1860;" to make further provision for regulating the supply of Gas within the limits of the said Act; and for other purposes relating thereto, *ordered* to be brought in by Sir James Hogg, Sir Andrew Lusk, and Mr. Goldney.

Bill *presented*, and read the first time. [Bill 28.]

HOUSE OCCUPIERS DISQUALIFICATION REMOVAL BILL.

On Motion of Sir Henry Wolff, Bill to relieve certain Occupiers of Dwelling Houses from being disqualified from the right of voting in the Election of Members to serve in Parliament by reason of their underletting such Dwelling Houses for short terms, *ordered* to be brought in by Sir Henry Wolff, Sir Charles Russell, Mr. Onslow, and Mr. Ryder.

Bill *presented*, and read the first time. [Bill 29.]

MUNICIPAL OFFICERS SUPERANNUATION BILL.

On Motion of Mr. RATHBONE, Bill to enable the Mayor, Aldermen, and Burgesses of Municipal Boroughs in England and Wales to grant Superannuation Allowances to their officers, clerks, and servants, *ordered* to be brought in by Mr. RATHBONE, Mr. BIRLEY, Mr. DIXON, Mr. CAWLEY, Mr. KIRKMAN HODGSON, and Mr. TORR.

Bill *presented*, and read the first time. [Bill 2.]

DIVINE WORSHIP FACILITIES BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide additional facilities for the performance of Divine Worship according to the rites and ceremonies of the Church of England.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. WILBRAHAM EGERTON, Mr. BIRLEY, Mr. WHITWELL, and Mr. RODWELL.

Bill *presented*, and read the first time. [Bill 30.]

REAL ESTATE INTESTACY BILL.

On Motion of Mr. POTTER, Bill for the better settling the Real Estates of Intestates, *ordered* to be brought in by Mr. POTTER, Mr. LEATHAM, Sir WILFRID LAWSON, Mr. HOPWOOD, and Mr. WILLIAM EDWIN PRICE.

Bill *presented*, and read the first time. [Bill 31.]

ORPHAN AND DESERTED CHILDREN (IRELAND) BILL.

On Motion of Mr. O'SHAUGHNESSY, Bill to extend the limits of age up to which, with the assent of Boards of Guardians, orphan and deserted pauper children may be supported out of workhouses in Ireland, *ordered* to be brought in by Mr. O'SHAUGHNESSY, Mr. O'REILLY, Mr. BRUEN, and Mr. REDMOND.

Bill *presented*, and read the first time. [Bill 32.]

IMPRISONMENT FOR DEBT ABOLITION BILL.

On Motion of Mr. FIELDEN, Bill for the abolition of Imprisonment for Debt by the Inferior Courts, *ordered* to be brought in by Mr. FIELDEN, Mr. THOMAS BASS, Mr. COBBETT, Mr. ANDERSON, and Mr. KNOWLES.

Bill *presented*, and read the first time. [Bill 33.]

OFFENCES AGAINST THE PERSON BILL.

On Motion of Mr. CHARLEY, Bill to amend the Law relating to Offences against the Person, *ordered* to be brought in by Mr. CHARLEY and Mr. WHITWELL.

Bill *presented*, and read the first time. [Bill 1.]

MERCHANT SHIPPING ACTS AMENDMENT BILL.

Acts read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Acts relating to Merchant Shipping.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. PLIMSOLL, Mr. ROEBUCK, Mr. SAMUDA, and Mr. KIRKMAN HODGSON.

Bill *presented*, and read the first time. [Bill 34.]

FREE LIBRARIES AND MUSEUMS BILL.

On Motion of Mr. MUNDELLA, Bill to facilitate the establishment of Free Libraries and Museums, and Institutions for the teaching of Science and Art, *ordered* to be brought in by Mr. MUNDELLA, Sir JOHN LUBBOCK, and Mr. COWPER-TEMPLE.

Bill *presented*, and read the first time. [Bill 35.]

MEDICAL ACT AMENDMENT (FOREIGN UNIVERSITIES) BILL.

On Motion of Mr. COWPER-TEMPLE, Bill to amend "The Medical Act, 1858," so far as relates to the registration of women who have taken the degree of Doctor of Medicine in a Foreign University, *ordered* to be brought in by Mr. COWPER-TEMPLE, Mr. RUSSELL GURNEY, Dr. CAMERON, and Mr. FORSYTH.

Bill *presented*, and read the first time. [Bill 36.]

PARISH MINISTERS (SCOTLAND) (EXEMPTION FROM RATES) BILL.

On Motion of Mr. JAMES BARCLAY, Bill to remove the exemption of Parish Ministers in Scotland from payment of poor rates and education rates, *ordered* to be brought in by Mr. JAMES BARCLAY, Mr. BAXTER, Mr. M'LAREN, and Dr. CAMERON.

Bill *presented*, and read the first time. [Bill 37.]

SALE OF INTOXICATING LIQUORS ON SUNDAY (IRELAND) BILL.

On Motion of Mr. RICHARD SMYTH, Bill to prohibit the Sale of Intoxicating Liquors on Sunday in Ireland, *ordered* to be brought in by Mr. RICHARD SMYTH, The O'CONOR DON, Mr. JAMES CORRY, Mr. WILLIAM JOHNSTON, Mr. DEASE, Mr. THOMAS DICKSON, and Mr. REDMOND.

Bill *presented*, and read the first time. [Bill 38.]

MUNICIPAL PRIVILEGES (IRELAND) BILL.

On Motion of Mr. MAURICE BROOKS, Bill to extend to the Municipal Corporations of Ireland the same privileges as are enjoyed by the Municipal Corporations of England, *ordered* to be brought in by Mr. MAURICE BROOKS, Mr. BUTT, and Mr. RONAYNE.

Bill *presented*, and read the first time. [Bill 39.]

LANDLORD AND TENANT (IRELAND) ACT AMENDMENT BILL.

On Motion of Mr. CRAWFORD, Bill to amend "The Landlord and Tenant (Ireland) Act, 1870," *ordered* to be brought in by Mr. CRAWFORD, Mr. RICHARD SMYTH, Mr. THOMAS DICKSON, and Mr. MACARTNEY.

Bill *presented*, and read the first time. [Bill 40.]

TOWNS RATING (IRELAND) BILL.

On Motion of Sir JOSEPH M'KENNA, Bill to amend the Law relating to the Rating of Towns in Ireland, *ordered* to be brought in by Sir JOSEPH M'KENNA, Mr. BUTT, Mr. MAURICE BROOKS, and Mr. MELDON.

Bill *presented*, and read the first time. [Bill 41.]

WILD FOWL PRESERVATION BILL.

On Motion of Mr. CHAPLIN, Bill for the Preservation of Wild Fowl, *ordered* to be brought in by Mr. CHAPLIN and Mr. RODWELL.

Bill *presented*, and read the first time. [Bill 42.]

LEGAL PRACTITIONERS BILL.

On Motion of Mr. CHARLEY, Bill to amend the Law relating to Legal Practitioners, *ordered* to be brought in by Mr. CHARLEY and Mr. WILLIAM GORDON.

Bill *presented*, and read the first time. [Bill 43.]

JUDICATURE ACT (1875) AMENDMENT BILL.

On Motion of Mr. MELDON, Bill to amend "The Judicature Act, 1875," *ordered* to be brought in by Mr. MELDON, Mr. BUTT, and Mr. O'SHAUGHNESSY.

Bill *presented*, and read the first time. [Bill 44.]

PUBLICANS CERTIFICATES (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to assimilate the Law of Scotland relating to the granting of Licences to sell Intoxicating Liquors to the Law of England.

Resolution *reported:* — Bill *ordered* to be brought in by Dr. CAMERON, Sir WINDHAM ANSTRUTHER, Mr. RAMSAY, and Mr. MACKINTOSH.

Bill *presented*, and read the first time. [Bill 45.]

ELECTION OF ALDERMEN (CUMULATIVE VOTE) BILL.

On Motion of Mr. HEYGATE, Bill to amend the Law relating to the Election of Aldermen in Municipal Boroughs, by the application thereto of the Cumulative Vote, *ordered* to be brought in by Mr. HEYGATE, Mr. RUSSELL GURNEY, Mr. FAWCETT, Mr. WHEELHOUSE, and Mr. MORLEY.

Bill *presented*, and read the first time. [Bill 46.]

COUNTY INFIRMARIES (IRELAND) BILL.

On Motion of Mr. MELDON, Bill to alter the constitution and government of County Infirmaries in Ireland, *ordered* to be brought in by Mr. MELDON, Mr. PARNELL, Mr. O'SHAUGHNESSY.

Bill *presented*, and read the first time. [Bill 47.]

BURGESSES (SCOTLAND) BILL.

On Motion of Mr. M'LAREN, Bill to assimilate the Law of Scotland to that of England respecting the creation of Burgesses, *ordered* to be brought in by Mr. M'LAREN, Mr. ANDERSON, and Mr. YEAMAN.

Bill *presented*, and read the first time. [Bill 48.]

House adjourned at half after One o'clock.

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HOUSE OF LORDS,

Thursday, 10*th February*, 1876.

MINUTES.]—PUBLIC BILL—*First Reading*—Ecclesiastical Offices and Fees* (3).

NEW PEERS.

William Earl of Abergavenny, having been created Earl of Lewes in the County of Sussex and Marquess of Abergavenny in the County of Monmouth—Was (in the usual manner) introduced.

Edward Montagu Stuart Granville, Baron Wharncliffe, having been created Viscount Carlton of Carlton and Earl of Wharncliffe, both in the West Riding of the County of York—Was (in the usual manner) introduced.

QUEEN'S SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD STEWARD (Earl BEAUCHAMP) *reported* Her Majesty's Answer to the Address, as follows:—

MY LORDS,

I THANK you sincerely for your loyal and dutiful Address.

It will always be My earnest endeavour to co-operate with you in promoting the happiness and contentment of My People.

CATTLE DISEASES (ENGLAND AND IRELAND)—THE PRIVY COUNCIL REGULATIONS.

QUESTION. OBSERVATIONS.

THE MARQUESS OF HUNTLY said, that the subject on which he had given Notice was one which had excited so much attention throughout the country that he did not need to apologize to their Lordships for calling attention to it. The noble Duke the President of the Council had paid so much attention to the subject that until he read the speech of the noble Duke at Chichester some short time ago he was not aware of the difficulties which the Government had to encounter in dealing with this question as regarded Ireland. Until he read that speech he expected to find the Regulations of the Privy Council made uniform throughout the United Kingdom. Their Lordships would recollect that in 1873 a Committee of the House of Commons, presided over by Mr. Forster, was appointed to inquire into the matter; and that in their Report they made several recommendations which were adopted by the late Government and carried out by the Privy Council. One of those recommendations was that as regarded foot-and-mouth disease all restrictions should be removed. But in 1874, when the present Government came into office, these Regulations were altered, and they issued an Order in Council by which local authorities were empowered to re-impose restrictions, if they thought them required; and the result was that there were at present in many localities Regulations altogether at variance with the recommendation of the Committee of 1873, while in others there were no restrictions whatever. He approved the action of the Lord President in the appointment of additional inspectors, and for the efforts they had made to secure the sanitary condition of the vessels in which cattle were imported into this country. He believed also that great good had resulted from the better cleansing of trucks and lairs; but the great blot on the present Regulations was that the local authorities were enabled to do something or to do nothing, just as they might think fit. The result was that, of two places sending cattle to the same market, the one might have restrictions while the other might have none. The spirit of the recommendation of the Committee of 1873 was that there should be uniformity of practice throughout the whole Kingdom in respect to cattle diseases. The Committee drew a broad distinction between foot-and-mouth disease and pleuro-pneumonia. As regarded the former they recommended the withdrawal of all restrictions, while as to the latter they were to be retained; and the result was that for want of sufficient Regulations to guide the discretion of the local authorities there was not that uniformity of action which was contemplated by the Committee. In most counties in England these restrictions were enforced and penalties were inflicted on those who drove cattle so diseased along the high road; whereas in Ireland there were no restrictions whatever imposed upon the free transit of cattle from one part of the country to another. As regarded foot-and-mouth disease, he thought it was both desirable and easy that the Regulations should be uniform throughout the whole country; and therefore he hoped that the Regulations, like their distinguished relative the Slave Circular, would be withdrawn. As respected pleuro-pneumonia, he thought it indefensible that while in England the compulsory slaughter of animals affected with that disease, with compensation to the owners, should be the law, no such provisions should exist in Ireland. It was believed that in Ireland the farmers were at one time opposed to the compulsory slaughter of animals attacked with pleuro-pneumonia; but he had recently read, with pleasure, that at a meeting of the Irish Cattle Defence Association that body expressed its readiness to concur in any restrictions which the Privy Council might think fit to impose. There was much uneasiness on those points in the public mind at present, and therefore he begged to ask the Lord President, Whether it is intended to withdraw the present Privy Council Regulations respecting Foot-and-Mouth disease among Cattle; and whether steps will be taken to place the Regulations regarding Cattle affected with pleuro-pneumonia and other diseases upon the same footing in Ireland as in England?

LORD STANLEY OF ALDERLEY said, that as the Privy Council seemed to contemplate the foot-and-mouth diseases with considerable equanimity, it would be well that the losses which had been sustained should not be under-estimated. One cause of loss had been omitted in all the Correspondence on the subject and figures which he had seen, and that was the loss of calves, for cows which had had the foot-and-mouth disease often slipped their calves.

THE DUKE OF RICHMOND AND GORDON said, he could assure the noble Lord who had just spoken that the Privy Council did not contemplate the foot-and-mouth disease with equanimity. If the noble Lord had been in the Privy Council Office for the last three years he would have known that. Deputations on the subject were received in great numbers, and scarcely a week passed in which the subject was not brought under their consideration. He could assert that in its action the Privy Council had been actuated by the desire to do everything possible to stop a disease which was injurious to all classes—not only to agriculturists, but to consumers. But the Privy Council had to devise measures such as would mitigate the evil without doing grievous injury to any one class—they had to consider what the effect of any measure would be, not only on the producers, but on the consumers of the country. It was rather unfortunate that in the discussion of measures for stamping out cattle diseases, persons at agricultural meetings and in farmers' clubs were very apt to mix up foot-and-mouth disease with pleuro-pneumonia, when the two diseases were very different, and called for, perhaps, very different forms of treatment at the hands of the Privy Council. The noble Marquess was perfectly correct in his statement that in 1873 the Committee of the House of Commons recommended the removal of all restrictions in respect of foot-and-mouth disease, and that, in accordance with that recommendation, the Privy Council revoked its Order. But shortly after the present Government came into office, numerous deputations waited on him (the Duke of Richmond) from various parts of the country, representing that foot-and-mouth disease was not only prevalent, but on the increase, and asking the Government to re-impose the restrictions. Among those who thus applied to the Privy Council were deputations representing such important districts and bodies as the East Riding of Yorkshire, South Devon, Cornwall, and Derbyshire, the Cheshire and Nottinghamshire Chambers of Agriculture, and the Royal Agricultural Society. He felt that he could not altogether disregard representations and requests urged by the deputations from such influential bodies; and the course the Privy Council took was to issue an Order enabling local authorities to impose restrictions if they thought it desirable to do so. He gave those authorities credit for care and watchfulness in the matter. The result had been that of 52 counties in England and Wales 41, and of 32 in Scotland 20, had imposed restrictions. In reply to the first Question of the noble Marquess, he had to say that it was not intended to withdraw the Order in Council under which those restrictions were imposed by local authority. He now came to the much more important subject of pleuro-pneumonia. The noble Marquess said that until he read his speech at Chichester he had not been acquainted with the difficulties which the Government had to encounter with respect to regulations in Ireland; but if the noble Marquess had done him the honour to read his speeches in that House he would have known that so far back as 1874 he stated those difficulties in answer to a noble Earl opposite (the Earl of Kimberley) who had filled the office of Lord Lieutenant of Ireland, and that the noble Earl concurred with him as to the existence of those difficulties. First of all, the Privy Council in England had no power to deal with matters which were within the province of the Privy Council of Ireland. Next, there were not proportionately in Ireland so many qualified veterinary inspectors as in this country. But he had never failed to see—what must be evident to every man of common sense—the anomaly of having in England a compulsory slaughter of animals affected with pleuro-pneumonia, while no such measure was applied to Ireland. It must be borne in mind that in England there were local authorities over every part of the country, while in Ireland the only local authority was the Irish Privy Council itself. It was manifest that where there were local authorities such as those existing in England there was greater security that such a measure as compulsory slaughter, with the payment of compensation which it involved, would be applied in proper cases only. But the question had engaged the anxious attention of the Government ever since he had been in office; and he was happy to say that the Government did intend to enforce the compulsory slaughter in Ireland of animals affected with pleuro-pneumonia. His right hon. Friend the Chief Secretary for Ireland would introduce into the other House of Parliament a Bill having that object in view, and would state the manner in which it was proposed to effect it.

LORD EMLY expressed his satisfaction with the course which the Government intended to take, and said it was a mistake to suppose that the farmers in Ireland were opposed to the slaughter of cattle affected with pleuro-pneumonia; but he regretted that in opposition to the opinion so decidedly expressed by the Committee of the House of Commons, against its urgent restrictions on cattle affected with foot-and-mouth disease, these restrictions were to be continued. Rules such as those for beasts affected with pleuro-pneumonia, could be imposed in the case of a disease which caused a mortality of only three per 1,000, and any less stringent rules would be entirely ineffectual.

THE EARL OF KIMBERLEY also wished to express his satisfaction at the decision come to by the Government with respect to Ireland. He thought the noble Duke was quite right in keeping foot-and-mouth disease and pleuro-pneumonia apart, because there was a great difference between the two. He was one of those who doubted very much the expediency of the restrictions in the case of foot-and-mouth disease; but, whatever might be their value if fairly tried, they had not a fair trial under the present system. They could not have such a trial as long as they were in force in some counties while they were not applied at all in others—to be of any value they must be extended to the whole country. He did not say that the Government would have been justified in rejecting the representations made by numerous deputations to the noble Duke in 1874; but he thought that since a considerable majority of the counties were in favour of restrictions, there could be no difficulty in applying them to all. He believed he might say it was the general opinion of agriculturists that if restrictions were to exist at all, they ought to be of a severer character than those now in force. It had been said—not in that House, but in other places—that agriculturists sought for restrictions in order to benefit themselves by enhancing the price of meat. This charge was unfounded. The disease enhanced the price of meat more than any restrictive regulations were likely to do. It was quite as much in the interest of the consumer as it was in that of the producer that compulsory slaughter in the case of pleuro-pneumonia should be extended to Ireland.

THE EARL OF POWIS said, it was a general opinion among agriculturists that there should be more protection against diseased cattle from Ireland. The Agricultural Society ascertained some years ago that the steamers in which Irish cattle were imported propagated disease; and it had been shown that cattle so imported did not in some cases exhibit symptoms of disease at the landing-place, though after they had been conveyed to their destination inland they were ascertained to be affected.

AGRICULTURAL CHILDREN ACT.

QUESTION. OBSERVATIONS.

THE DUKE OF ST. ALBANS, in putting a Question respecting the Agricultural Children Act, said, he trusted the importance of the subject in our agricultural districts would be a sufficient excuse for his intruding on the time and the attention of their Lordships' House. He thought it was a great advantage that his Question would be put in that House, where they had the advantage of the presence of the noble Duke, who, besides being the St. Anthony of the Government, and having the care of the animals, was also the Minister of Education. He need not remind their Lordships that the Agricultural Children Act was introduced by Mr. Clare Sewell Read and Mr. Pell, two Gentlemen well qualified to represent the agricultural interests. The Bill provided no machinery for putting its provisions into force; the police, however, had been brought into requisition in some counties, but in others it was not so, and conspicuous among the latter was the county of Buckingham, where it was reported that Mr. Disraeli voted against their being so used. The Prime Minister would not give a heedless vote in a leisure hour to support a state of things which rendered the Act of Parliament a dead letter. The measure, he must admit, was unpopular among the farming population and the voting classes in the counties; but the illustrious head of Her Majesty's Government was the last person to obstruct an Act of Parliament in order to secure the approbation of his constituents. He (the Duke of St. Albans) was, therefore, driven to the conclusion that the Government had some remedy to propose. It was not his business to point out the evil that existed on that occasion, or what should be done; though he quite admitted that the employment of the police in the relations the Act dealt with was most objectionable, if it could be avoided. They had, however, given the Act a good trial, and he had this to observe, that the present state of things ought no longer to exist. The ancient divisions of counties were eccentric to our ideas; and how were they to justify to the farmer and labourer in one parish the justice of his obeying a law which his neighbours on the other side of a fence could avoid? He might instance the fact of two farmers who, as he was informed, had been fined 6*d.* and costs at Huntingdon. They refused to pay, and a distress warrant was issued. He was afraid those persons had the full sympathy of their class; and it must be confessed it was difficult to see why they should be subjected to the ignominy of a fine, while the farmer in Buckinghamshire was exempt, and the head of the Government supported his position. He begged to ask, Whether Her Majesty's Government contemplate any steps to give effect to the Agricultural Children Act and to secure uniformity of action under its provisions in the several counties?

THE DUKE OF RICHMOND AND GORDON said, their Lordships were aware that in Her Majesty's most gracious Speech from the Throne an announcement was made that a Bill would be introduced on the subject of Primary Education. It must be obvious to everybody who had looked into the question that no Bill dealing with that subject could overlook the education of children in the agricultural districts. His noble Friend (Lord Sandon) would introduce in the House of Commons a Bill on the subject of Primary Education at no distant date, and would state the intentions of the Government. Their Lordships would see, therefore, that he could not be expected on the present occasion to give any further reply to the Question of the noble Duke.

LORD COTTESLOE said, there was a misapprehension as to the course taken by the Prime Minister in Buckinghamshire with reference to the question. At the Quarter Sessions it was proposed to employ the police to enforce the Act. A magistrate moved the previous question, and it was for this latter motion Mr. Disraeli and the majority of the magistrates recorded their votes.

ECCLESIASTICAL OFFICES AND FEES BILL. [H.L.]

A Bill to reform certain Ecclesiastical Offices and to regulate Ecclesiastical Fees—Was *presented* by The Lord Archbishop of CANTERBURY; read 1ª. (No. 3.)

House adjourned at Six o'clock, till To-morrow, half past Ten o'clock.

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HOUSE OF COMMONS,

Thursday, 10th February, 1876.

MINUTES.]—SELECT COMMITTEE—Standing Orders, *nominated;* Selection, *nominated;* Kitchen and Refreshment Rooms (House of Commons), *appointed* and *nominated.*

PUBLIC BILLS—*Resolutions in Committee — Ordered — First Reading*—Maritime Contracts [50]; Merchant Shipping [49]; Intoxicating Liquors (Licensing Law Amendment) [56].

Ordered—First Reading—Local Government in Towns (Ireland)* [52]; County Palatine of Lancaster (Clerk of the Peace)* [53]; Commons [51]; Indian Legislation [54]; Contagious Diseases Acts Repeal* [55]; Sale of Intoxicating Liquors on Sunday* [57]; Union Rating (Ireland)* [58].

Second Reading—Offences against the Person [1].

NAVY—THE LOSS OF H.M.S. "VANGUARD."—QUESTION.

MR. GOSCHEN asked the First Lord of the Admiralty, Whether he intends to lay Papers upon the Table of the House relating to the loss of Her Majesty's Ship "Vanguard" and the proceedings taken subsequent thereto; and, whether he intends to take that, or, if not, what other opportunity of making a Statement to the House on the subject?

MR. HUNT: Sir, when the right hon. Gentleman gave Notice of this Question, Papers on the subject had already been laid on the Table of the House. I gave instructions that they should be ready for delivery to hon. Members at the opening of the Session, and I understand that to-morrow morning they will be in their hands. With regard to the second part of the right hon. Gentleman's Question, I do not know of any appropriate occasion for making a statement on the subject, so far as the initiative is concerned, except when it will be my duty to lay the Navy Estimates before the House. If, however, the right hon. Gentleman wishes to invite the opinion of the House on the subject, I shall be very glad for him to do so, and I will endeavour so to arrange with my right hon. Friend the First Lord of the Treasury, so that he shall have every facility afforded to him for the purpose.

Mr. GOSCHEN said, that in consequence of the Answer of the right hon. Gentleman, and in the belief—which he thought was shared in by the right hon. Gentleman himself—that the subject of the loss of the *Vanguard* could not be discussed with advantage on the Navy Estimates, he (Mr. Goschen) would give Notice that he should take an early opportunity, after the Papers had been laid on the Table of the House, of calling the attention of Parliament to the question. Deprecating, as he did, any attack upon the right hon. Gentleman, he should have preferred that he had volunteered a statement.

WEST COAST OF AFRICA—THE GAMBIA —EXCHANGE OF TERRITORY.

QUESTION.

Mr. KNATCHBULL - HUGESSEN asked the Under Secretary of State for the Colonies, Whether any negotiations have been entered into by Her Majesty's Government with respect to the cession or exchange of the Gambia territory; and whether Papers upon the subject will be laid upon the Table of the House?

Mr. J. LOWTHER, in reply, said, negotiations, as the right hon. Gentleman was aware, with respect to an exchange of territory upon the West Coast of Africa were entered into some time ago between the French and English Governments, but had not yet been brought to a conclusion, nor would any final step be taken until an opportunity had been afforded to Parliament for a consideration of all the questions involved. Papers upon the subject were being prepared, and would shortly be presented to the House.

THE CIVIL SERVICE INQUIRY COMMISSION—THE REPORT.—QUESTION.

Mr. DUNBAR asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government have yet arrived at any decision upon the recommendations contained in the Report of the Civil Service Inquiry Commission, which was presented early last Session; and, whether he intends to take steps this Session to carry out all or any of those recommendations affecting the re-organization of the Civil Service?

The CHANCELLOR of the EXCHEQUER, in reply, said, that Her Majesty's Government had given very careful consideration to the valuable and able Report of the Commission referred to, and a draft Order in Council which had been prepared would be submitted to Her Majesty on the occasion of the next Privy Council, which, he believed, would be held in the course of a few days. As soon as that draft Order had received Her Majesty's sanction he should be prepared to lay it on the Table of the House.

ENDOWED SCHOOLS COMMISSIONERS —THE EXETER ENDOWED SCHOOLS SCHEME.—QUESTION.

Mr. WADDY asked the Vice President of the Committee of Council on Education, When the scheme for the management of St. John's Hospital and other Charities and Endowments in the city of Exeter, and certain other Charities and Endowments, which was laid upon the Table of the House in August 1875, was approved by the Committee of Council on Education; and, whether, before approval by the Committee of Council on Education, the scheme submitted by the Endowed Schools Commissioners was remitted to them by the Committee of Council on Education; and, if so remitted, if he would state to the House on what date; and whether he will lay upon the Table of the House the Declaration accompanying such remission?

Viscount SANDON: Sir, the scheme was approved by the Committee of Council on the 20th of March, 1875. The scheme was remitted on the 15th of March, 1875, to the Charity Commissioners before approval by the Committee of Council. If the hon. and learned Member will favour me by calling at the Privy Council Office, I shall be happy to show him the Paper to which he alludes; and if he should then think that it is of any public interest, I will at once lay it upon the Table of the House.

THE IRISH LAND ACT—COMPENSATION UNDER THE THIRD CLAUSE.

QUESTION.

THE O'DONOGHUE asked the Chief Secretary for Ireland, If he will lay upon the Table of the House, on as early a day as possible, a Return giving the amount awarded in compensation under the third Clause of the Land Act, since the passing of the Act, showing the amount in each county, and distinguishing between the sums awarded as compensation for improvements, and the sums awarded as compensation for disturbance?

SIR MICHAEL HICKS-BEACH, in reply, said, that information on the point alluded to in the Question of the hon. Member was already tabulated in the statistics which were in the possession of the House, though not in the form, perhaps, which he desired. If the hon. Member would confer with him on the subject, he would endeavour to arrange what additional information on the subject should be laid before Parliament.

SCOTLAND—THE LAW OF HYPOTHEC.

QUESTION.

MR. M'LAGAN asked the honourable Member for Wigtonshire, Whether it is his intention to introduce this Session a Bill for the abolition of the Landlord's rights of Hypothec in Scotland?

MR. VANS AGNEW, in reply, said, he had not as yet moved for leave to introduce a Bill for the abolition of the Landlord's right of Hypothec in Scotland, because last Session they were given to understand that Her Majesty's Government intended to introduce a Bill on the subject of agricultural holdings in Scotland similar to that which had been passed for England. If he was disappointed in the hope that such measure would deal with the question of Hypothec, he should be prepared to bring the subject before the House in the form of an Amendment to the Agricultural Holdings (Scotland) Bill.

SELECT COMMITTEE ON FOREIGN LOANS—THE HONDURAS MINISTER.

QUESTION.

SIR JOHN LUBBOCK asked the Under Secretary of State for Foreign Affairs, What steps Her Majesty's Government have taken, in consequence of the facts established by the evidence taken before the Select Committee of this House on Foreign Loans, with reference to the continuance of Don Carlos Gutierrez as the Representative of Honduras in this country?

MR. BOURKE, in reply, said, it had not been found necessary to take any official steps with regard to Don Carlos Gutierrez, as, in consequence of unofficial communications which had been addressed to him, he had resigned his position as the Representative of Honduras in this country.

DOVER HARBOUR BILL.—QUESTION.

MR. FRESHFIELD asked the President of the Board of Trade, Whether the Government has abandoned the measure introduced into the House last Session, and which passed through a Select Committee (but was afterwards dropped) for completing the Harbour and works at Dover, or what is its intention regarding it?

SIR CHARLES ADDERLEY, in reply, said, the amount of works which the Government had to undertake during the present year was so considerable that it had been found necessary to put off proceeding with Dover Harbour for the present.

CHINA—THE PAPERS.—QUESTION.

MR. RICHARD asked the Under Secretary of State for Foreign Affairs, When the Papers relating to our recent differences with China will be in the hands of Members?

MR. BOURKE, in reply, said, he could not exactly fix the date at which the Papers would be in the hands of hon. Members; but as they were at present in the hands of the printers, he hoped that very shortly he should be able to present them to the House.

MINES—BLASTING POWDER.

QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If it is his intention or the intention of the Government to introduce a measure this Session to prohibit the use of blasting powder in firing Mines?

MR. ASSHETON CROSS, in reply, said, the opinions of the Mines Inspectors as to the use of blasting powder in firing mines were so widely different that he did not at present propose to introduce a Bill on the subject. The question would be again submitted to the Inspectors on their next meeting in London, which he believed would be within a fortnight, and as soon as he received a Report upon the subject it would be laid before the House.

POST OFFICE—TELEGRAPH CARDS.

QUESTION.

MR. MITCHELL HENRY asked the Postmaster General, Whether Telegraph Cards will be reissued; and, if not, if he will explain to the House why this convenience is to be withdrawn from the public?

LORD JOHN MANNERS, in reply, said, it was not intended to issue any further telegraph cards, the experience of more than three years having shown clearly that the public could not be induced to use them.

COMMERCIAL RELATIONS WITH PORTUGAL.—QUESTION.

MR. WHITWELL asked the Under Secretary of State for Foreign Affairs, Whether the Government of Portugal has decided to give the Most Favoured Nation Clause to this country with respect to the importation of British goods into Portugal?

MR. BOURKE, in reply, said, that the Chamber of Deputies of Portugal had quite recently passed a Bill extending to Great Britain and other countries the commercial privileges attaching to the Franco-Portuguese Treaty of 1866, and the effect of that measure would be to extend to Great Britain the Most Favoured Nation Clause. This country, however, in reality, had been entitled to the advantages of that clause ever since the Treaty of 1842.

THE SUEZ CANAL COMPANY.—THE CONCESSION AND FIRMAN.

QUESTION.

MR. W. E. FORSTER asked the Chancellor of the Exchequer, Whether he will lay on the Table of the House, before he brought on the Vote for the purchase of the Suez Canal Shares, the concession and statutes of the Suez Canal Company, referred to in General Stanton's despatch to Lord Derby, of December 11, 1875, and also the Firman of the Sultan confirming the concession to the Egyptian Government?

THE CHANCELLOR OF THE EXCHEQUER: I shall have much pleasure, Sir, in laying the Papers on the Table of the House.

EGYPT—INSTRUCTIONS TO MR. CAVE.

NOTICE.

THE MARQUESS OF HARTINGTON gave Notice that to-morrow he would ask the First Lord of the Treasury, Whether he has any objection to lay upon the Table of the House a Copy of the Instructions given to Mr. Cave with regard to his mission to Egypt, and also of the Correspondence between Her Majesty's Government and the Khedive in relation to the subject.

OFFENCES AGAINST THE PERSON BILL.—[BILL 1.]

(*Mr. Charley, Mr. Whitwell.*)

SECOND READING.

Order for Second Reading read.

MR. CHARLEY, in rising to move that the Bill be now read the second time, said, it was substantially identical with the Infanticide Bill, as amended in Committee last Session. It would be in the recollection of the House that the scope of that Bill was enlarged in Committee. Originally confined to cases in which death was caused by the injuries inflicted by the mother on her child during or immediately after its birth, the scope of the Bill was enlarged in Committee to all cases in which grievous bodily harm was inflicted by the mother on her child during or immediately after its birth. Whether death was caused thereby or not, the name, "Infanticide Bill," no longer, therefore, defined accurately the scope of the Bill, and the wider term "Offences Against the Person," had been adopted as a more appropriate title. The name "Infanticide," moreover, although used by statisticians to denote the murder of a new-born infant by its mother, was, as pointed out by the Capital Punishment

Commissioners, unknown to the English law. Infanticide was only one form of murder. It was a matter of doubtful policy to coin a new legal phrase, and it was now no longer necessary, the scope of the Bill having been enlarged. The Bill came before the House supported by a great weight of authority. It was founded on the unanimous recommendations of the Capital Punishment Commissioners. That Commission was presided over by the noble Duke (the Duke of Richmond), and amongst the signatures to its recommendations would be found the names of three other Members of the present Cabinet. He might add that amongst the signatures to the recommendations he found the name of a right hon. Gentleman opposite, the Member for Birmingham (Mr. John Bright). The Bill had been read a second time without a division in three successive Sessions—namely, 1873, 1874, and 1875. In 1874 it was sent up to the House of Lords in the form in which it passed the Committee on Homicide, a form of which it was difficult to approve. In 1875 the Bill would have been sent up to the House of Lords in its present form, if it had not been for the unaccountable opposition of the late hon. Member for Armagh (Mr. Vance), whose loss as an old and respected Member of that House they all deplored. On the second reading of the Bill last Session, it was supported by the right hon. and learned Recorder, the present Attorney General, the Attorney General of the late Government, and the hon. and learned Members for Durham, Penryn, South Derbyshire, South Warwickshire, and he might add, for Beaumaris—subject to certain Amendments which were now embodied in the Bill. He would appeal to these facts as his justification for urging on the second reading of the Bill thus early in the Session. It was important that the House of Lords, and especially the Law Lords, should have ample time to consider the Bill. He hoped that the Bill would do away with the necessity of trying a woman for an offence of which it was impossible to convict her—that it would afford a means of overcoming the technical rule of the necessity of establishing that there was an independent circulation in the child apart from its mother, which had so often led to a defeat of justice—that it would lead to a decrease in the crime of infanticide, which was the disgrace of our modern civilization—50 out of 51 murders being, according to Dr. Neilson Hancock, infanticide — while, at the same time, it would guard the sacredness of the lives of infants by enabling the prosecutor to proceed for the major offences of murder or manslaughter, if he thought that he could secure a conviction, and that it would better meet the justice of the case. The hon. and learned Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Charley.*)

Mr. WHEELHOUSE said, he strongly objected to the House being called upon to read the Bill a second time, at that early period of the Session. He could not help thinking it somewhat unreasonable that they should be called upon to pass the second reading—that was, to affirm the principle of a measure which had only been delivered that morning, and within 24 hours, or scarcely more, from the introduction of the Bill. What he was anxious to obtain was time for its due consideration, and whatever might be the ultimate event of the measure, so far as Parliament was concerned, it was very desirable, or indeed actually necessary, that the scope of the Bill should be thoroughly understood. Although that was the chief reason by which he was actuated, he had also this further objection to adduce —namely, that he thought any proposed change in the framework of a law which must necessarily be of such great importance, ought to be made—if at all—by the responsible officers of the Crown. So far as he understood the suggested alteration, the Bill proposed to insert in an indictment the word "feloniously," in place of "unlawfully," thus transforming the charge from a misdemeanour into a felony. He must confess that he thought the present law was sufficient for the purpose—as he understood it—in view; and he had strong doubts as to the advisability of anything like piecemeal legislation on such an important subject. He had to remind the House that, in cases of this character, it often happened that a woman, at the very time she was said to have committed the alleged offence, was not always responsible for her own actions, and however much he might feel for the preservation of infant life, he thought it was absolutely necessary to take especial care of the position of the unfortunate mother in such cases. In conclusion, he would move the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Wheelhouse.*)

MR. WHITWELL trusted that the House would consent to read the Bill a second time without further delay, on the ground that the principle of the measure had been fully discussed and approved last Session. In his opinion it was a most important measure, and one which ought to be passed, as it was founded on principles of humanity and justice. He should therefore support the second reading.

MR. MORGAN LLOYD said, the Bill in its present shape was the Bill that was read a third time last Session. He opposed the Bill in its original shape last Session, but certain alterations had been made, and the consequence was, he believed the majority of the legal profession in the House approved the present measure.

THE ATTORNEY GENERAL said, the Bill, as he understood, was exactly in the same form as the measure which was introduced last Session, except that it had a different title. It appeared to him that the Bill was worthy of support for this reason—that it was designed to remedy a very considerable defect in the law—namely, that under existing Acts, when a woman was indicted for the murder of her child, and the evidence was such that no one could for an instant doubt that a grave crime had been committed, such, for instance, as wounds inflicted upon the body, or a cord round its neck, she might escape according to the law as it now stood, because it could not be clearly proved by medical or other evidence that the child had had an existence apart from the mother. It was to remedy this that the Bill provided that when a woman unlawfully or maliciously inflicted grievous bodily harm upon a child at or immediately after its birth, then although it could not be proved that a separate circulation had been set up in the system of the child, she should be punishable for the offence she had committed. He saw no injustice in that. The object of the Bill was to prevent a criminal from escaping, and he thought the provisions of the Bill for that purpose were so wisely framed that it was entitled to support. The hon. and learned Member for Leeds (Mr. Wheelhouse) seemed to think that this Bill would put in jeopardy a woman who had inflicted injury on her child when she was in a state that rendered her not responsible for her actions. But that could not be, because no Judge would be justified under this Bill in directing a jury to convict, and no jury would be justified in convicting, unless it was clearly proved that the injury was inflicted maliciously. When the Bill was before the House last Session he supported it, because he thought it was a good and useful measure, and for the same reason he should support it now.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Tuesday* next.

MARITIME CONTRACTS BILL.

LEAVE. FIRST READING.

MARITIME CONTRACTS *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER, in rising to move, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to Insurances and other Maritime Contracts, said: Sir, the Committee are well aware from the terms of the Queen's Speech that it is the intention of the Government at the very commencement of this Session to invite the attention of Parliament to the question of legislation with respect to Merchant Shipping, and my right hon. Friend the President of the Board of Trade has given Notice that he will this evening move to introduce a Bill upon the subject. But, in the course of the careful consideration which the Government have given to this subject during the Recess, it has appeared to them that any legislation upon this matter would be incomplete unless it extended beyond the subjects which will be included in the Bill which my right hon. Friend has to introduce, and upon that consideration they have come to the conclusion that it would be desirable that two measures should be introduced, independent one of the other, but forming, when taken together, a complete exposition of their views as to the legislation which is required and which is possible at the present time upon this great question. I will not weary the Committee—indeed, I should be trespassing on the province of my right hon. Friend if I were to do so—by going into anything like a general review of the course of legislation with regard to Merchant Shipping of late years. I will only say this much with regard to it. The Committee will bear in mind that for 30 or 40 years the attention of Parliament has been directed at constantly recurring intervals to measures for improving the condition of our Merchant Shipping, and especially for preserving life at sea; that a large code of laws has been created within that time, and that year after year the attention of the public has been called to it. Now the principles upon which the Government and successive Governments have proceeded in this matter seem to have been very much of this character—they have felt that it was the duty of Parliament, as far as possible, to give facilities for the improvement of the Mercantile Marine, and to pass such measures as should enforce the responsibility of shipowners and of those who have the conduct of the great Merchant Service of this country. But they have felt that it was rather in the direction of assisting on the one hand, and of enforcing on the other the duties of shipowners, than to direct intervention on the part of the Government by laying them under the restraints of penal legislation, that satisfactory results were to be looked for. And that certainly is the feeling which animates Her Majesty's present Advisers upon this matter. A great deal has been done in the way of improving the character of masters and mates, of improving the condition of seamen, and other matters with which hon. Gentlemen are familiar. Important measures have been taken for inquiring into the apportionment of the proper punishment in cases where it was required, and moreover, of late years, a new step has been taken in the direction of Government interference which may be shortly described as the initiation of a policy of detention—that is to say, powers have been given to the Government to detain ships when it appears they cannot proceed safely to sea, or when there is any reason to suspect they are at all unseaworthy. Last Session a measure was proposed which would have carried further that policy; but under circumstances to which I do not advert at any length, that measure was not proceeded with as had been intended, but a temporary measure—a short one—was passed towards the end of the Session, which will expire in the course of the present year. Now, the principles on which the Government propose to legislate this year will be in harmony with those which they professed last year. My right hon. Friend will by-and-by introduce a Bill which will be found in principle similar to the temporary measure which was passed at the close of last Session, but which will be found to meet some of the defects and difficulties which have been experienced in the working of that short temporary Act. But, in addition to that, it is the opinion of the Government that we should take a step further. That will be a step for enforcing more strictly than at present the liability of shipowners and throwing on them more distinctly the duty of taking care that their ships and the lives of their seamen on board of them are properly provided for. As I said before, whatever the Government can do in this matter the Government is attempting to do; but, after all, what the Government can do is as nothing compared with what the shipowners themselves can do. The Government may stop one or two patent leaks or prevent one or two patent evils; but, after all, it cannot take that care—that continuing, that efficient care—which a shipowner is himself liable and bound to take of his vessel; and it is, therefore, to the exertions of the shipowner that we are mainly to look for improvements in this matter. I wish, on the part of the Government, to say that we have approached this subject with an anxious desire to do justly and deal fairly with what may be called both of the parties interested in this controversy, if I may so describe it. We are, above all things, anxious to preserve and protect the valuable lives of our seamen. We are, on the other hand, anxious to take care that no unnecessary inconvenience is inflicted and no injury is done to that great interest on the prosperity and welfare of which so much of the prosperity of this Kingdom depends. We feel that a natural, a noble, and a generous impulse has led the people of this country to call loudly for the protection of those whose lives are, perhaps, more exposed to danger than the lives of most other classes, and who from various circumstances possess a peculiar interest in the eyes of Englishmen. And it may be that in some of the expressions which have been used and some of the proposals which have been made for the purpose of obtaining that great object something in the nature of injustice has from time to time been done to a body of men as honourable, as desirous to promote the welfare of those dependent on them, and as deserving of the consideration and attention of Parliament as any body of men in this country can possibly be. We have, therefore, been anxious to guard ourselves in what we may do from anything that may appear to reflect unfairly or in any way to be prejudicial to the great body of the shipowners. And, in saying that, I feel that we are not in any sense chargeable with the imputation that we are setting property against life, because not only is the property of the shipowner concerned in this matter and the national welfare greatly concerned, too, but also the interests of the seaman himself are involved in the maintenance of the general prosperity of that great interest in which he ranks as one of the component parts. If you destroy or materially injure the Merchant Service of this country, I need not ask what would be the effect on the merchant seaman. You cannot injure the shipowner without materially damaging and injuring the sailor; and not only is that in a general way the case, but it is also obvious that you may by over-restriction and over-regulation directly defeat your own object, because, inasmuch as you cannot prevent all mischief, if you lay too many restrictions and impose too many burdens on the shipowner he may defend himself by taking less care in those matters where you are not able to reach him. Now, looking at the subject from the simplest point of view, I think we may say that our seamen and all connected with ships would naturally have their great protection in the interest the shipowner must have in the preservation of his ship. Naturally, and in the absence of any legislation or of any system which might prevent the operation of that law, there would be a law by which the shipowner is more desirous of preserving his ship than any other person can be, because if his ship is lost he loses that which constitutes his property. But there has long prevailed in this country and elsewhere a system of insurance the effect of which is that if a man partially insures his ship he mitigates his loss; if he wholly insures her he covers his loss; and if he over-insures her it is possible that his loss may even become his gain. Therefore, unless proper attention is paid to this subject, and care is taken to prevent as far as possible the over-insurance of ships, it is possible that a system most excellent in its intentions, most valuable in its working, may be the cause of great abuse and evil. There is another point which I may also mention. Besides the natural interest which the shipowner would have but for the system of insurance in the protection and preservation of his ship, he is under obligation to the shippers who have consigned their cargoes to his care, and he would be responsible to those persons for any loss that might occur. He would, therefore, for the sake of protecting himself against that liability, naturally be anxious to take all possible pains to see that his ship was well found, well navigated, and of such a character as would enable him to accomplish the undertaking into which he has entered. But a practice has, as we know, arisen in many cases in which shipowners have found it possible to contract themselves out of this obligation by the introduction into their bills of lading of stipulations protecting them against losses which may occur to the cargoes committed to their charge. Well, Her Majesty's Government have carefully considered in what way it would be right to deal with these questions, and I wish to say that we have not attempted in any way to set aside the great principles of insurance or to deal on what may be called cardinal and *doctrinaire* principles with a matter which is of such old standing, which has so many ramifications, and is connected with so many interests. We feel that it would be a very serious thing—indeed, a very improper thing—rashly and in any violent manner to tamper with the system of insurance. We do not propose any great radical or revolutionary change in that system. We have not attempted to alter the principles upon which it rests, but we have endeavoured in the measure we shall submit to the Committee to meet certain of the objections which appear to us to lie on the face of the case and to be the most easily dealt with. It may be said—"Why do you touch contracts of this kind at all? Why cannot you leave the underwriters and the shipowners to regulate such matters as contracts of insurance in their own way?" Well, we recognize and feel the fact that it is a very serious thing indeed to interfere under any circumstances with full freedom of contract; and where contracts are made between parties who are competent on both sides to enter into them, and where they do not affect the interests and rights of other persons, we feel that it would be wrong and contrary to sound policy to meddle with freedom of contract. But when contracts are of such a nature that the interests of third persons are or may be involved in them, and those persons are not parties to or able to control those contracts, it may and does become the duty of the Legislature, at all events, to protect the rights of those who may suffer as third persons between the two parties. For example, not to speak of other matters less cognate to the present subject, you have in this very instance of Marine Insurance a provision of law that a seaman is unable to insure his wages. A seaman is interested in the wages which he will earn by the voyage in which he engages. It would be natural, considering that he is embarking in a very venturous and risky occupation, that he should be allowed to insure the wages he will receive if the voyage is completed. But the law does not allow him to do it, and for this reason—that it is thought if he were to insure his wages, and were sure of getting them whatever might happen to the ship, he would be rendered less careful in the discharge of his duty. And, therefore, for the sake of the interests of the owner of the ship, and also of the persons whose goods are in it, you restrain the seaman from that contract into which he naturally would have every right to enter. Well, if you employ law in this way against the seaman, it may also possibly be a consideration with you whether it would not be right that he in his turn should be protected in the application of that same system of insurance between other persons. I will not, however, detain the Committee by going at any length into theory on this matter. I think I shall best consult its convenience by describing very briefly the provisions of the Bill I am about to ask leave to introduce. It is a very short measure, and its provisions are not so numerous as its clauses. It contains, I think, 12 clauses, of which two or three are merely formal, and others only consequential. It deals with six points. In the first place, it treats of the question of warranty and of those stipulations in bills of lading by which shipowners are able to contract themselves out of their liability to the shippers of cargo. The Bill deals also with another class of interests which is not at present provided for. At the present time, supposing there be no provision in the bill of lading to take the case out of the Common Law of the land, the shipowner is liable for the safety of the cargo, but not for that of passengers. Therefore, in the 4th clause of the Bill, which is the first of any importance, it is provided that—

> "In every contract made after the commencement of this Act for the carriage of goods or persons by sea there shall, by virtue of this Act, be an implied warranty by the shipowner, charterer, or other person contracting, that the ship is seaworthy at the commencement of the voyage to be performed under the contract."

This is a novelty, for the passenger, in short, is here put on the same footing as the cargo. Then provision is made for rendering this warranty efficacious—that is to say, for preventing the shipowner from contracting himself out of his liability, for the clause further provides that any contract made after the commencement of the Act contrary to, or inconsistent with, such warranty is to that extent void. Passing over some minor points in the Bill, we come to Clause 8, dealing with the case of valued policies, about which there has been much controversy. In the case of open policies the shipowner insures his ship for such a sum as he thinks right, and in the event of a dispute arising, steps are taken to ascertain the ship's value, in accordance with principles which have been clearly laid down in a series of judicial decisions. We do not intend to interfere in that matter, except in some minor particulars which I need not here mention. But, in the case of valued policies the shipowner and underwriter at the commencement of the contract agree upon a certain sum—which may or may not be the fair and full value of the ship—as the value of the ship in the event of her loss. Well, this is, no doubt, a convenient practice. It saves, I dare say, a great deal of trouble and controversy, and if the valuation is fairly stated it is a practice with which no one would wish to interfere. But, on the other hand, it may be made to cover an excessive and unreasonable over-valuation, and it is perfectly clear that, if a man having a ship worth £10,000 insures her on a valued policy of £20,000, it may be more to his interest to lose her than that she should safely complete her voyage. God forbid that I should impute to shipowners as a class, or, indeed, to any man, that he would deliberately send his ship to sea over-valued in the hope that she may be lost; but I would point out that this practice of over-valuation exposes shipowners to very great temptation. And not only has it that effect, but it produces on seamen and the public at large an unsatisfactory feeling—namely, that the loss of a ship may be an actual gain to her owner, a feeling which cannot be at all good for the service. It cannot be satisfactory that that which is loss of life and property to a great mass of the population, should be not only no loss but a subject of gain to any one class of that population. It may be said that this over-valuation does not often occur, and that it is exceedingly difficult to say what the true value of a ship is. She may be of more value to one man than to another, or her value may vary according to the service in which she is engaged. In fact, there may be a great many considerations which render it difficult to fix the value of a ship with precision. Yet that difficulty has to be overcome, and is overcome every day by processes with which those who conduct them have become familiar. It may surprise some persons unacquainted with the working of the law in this matter to learn the discrepancy which sometimes comes out between the real value and the estimated value of a ship. There is a case, I suppose of not infrequent occurrence, which prominently brings out this point. A ship having been seriously damaged, the question arises whether she is to be treated as a total loss. In Courts of Law this case is known as "constructive total loss." The principle of it is this:—If a ship has been so much damaged that it would cost more to repair her than her full value when repaired would be, she is judged to be totally lost, and if the policy is a valued one the underwriter has to pay the total amount for which she was insured. Well, if the ship is partially lost, the owner claims to receive the amount of the valuation, on the ground that she is totally lost. He is asked to prove that she is totally lost, and to do so he proves in the first place what the ship is really worth, and, secondly, what it would cost to repair her. In this way it sometimes comes out that what it would cost to repair a ship and what the owner proves she is really worth is very far below the amount at which he has valued her, and which he is entitled to recover. Let me just give an illustration of this. Some little time ago a case of constructive total loss was tried in respect of a ship valued at £36,000. The ship had been materially injured, and the owner endeavoured to prove that she was a total loss. With that view he showed that it would cost £15,000 to repair her, and that when repaired she would not be worth more than that sum. If he could make out that the ship was not worth more than £15,000 altogether, what is it to be supposed he would receive for her loss? Not £15,000, her true value, but £36,000, her assumed value. Probably cases of this kind are not numerous, but that they can occur is in itself sufficient evidence of the evil tendency of over-valuation. In the case I have just mentioned the Lord Chief Justice, who was trying it, was so much struck by the discrepancy between the real and the estimated value of the ship, that he adjourned the proceedings in order to give counsel an opportunity of considering what course they would pursue. How are we to deal with this kind of possible over-valuation? It has been suggested by some that we should prohibit valued policies altogether, but that is out of the question; others have recommended that the underwriter should at any time have power to open the valued policy. Well, we do not encourage that.

The provision we make is a very guarded, and, I think, a very reasonable one; and I do not know that I could state it better or more clearly than by reading the clause itself—

> "Where, in an action on a contract of insurance on ship or freight made after the commencement of this Act by a valued policy, it appears to the Court, at any stage of the action, whether application in this behalf is made by the defendant or not, that there is ground to believe that the valuation is unreasonably in excess of the real value of the subject-matter of insurance, the Court may, if it thinks fit, direct an inquiry before referees, on such terms and conditions respecting costs and other matters as to the Court seem just, to ascertain what would have been the value of the interest of the insured, if the policy had been an open one. If, on the report of the referees, it appears to the Court that the valuation is unreasonably in excess of the real value of the subject-matter of insurance, then the insured shall not be entitled to recover in the action more than the value as ascertained by the referees."

It goes upon the principle that the natural kind of policy is the open one, which, as construed by successive decisions, gives to the insurer the amount to which he is fairly entitled as compensation for the loss of his ship, and no more. The valuation policy is a device introduced for the convenience of parties. So far as it is legitimate we have no wish to interfere with it; but if the Court has reason to suppose that it is abused, then it sets it aside, and throws the insurance policy back into the natural position of an open policy. That is the most important and most striking provision in the Bill. The next clause relates to the case of freight. Now, with regard to freight it is, of course, right and necessary for the shipowner to insure, not only the body of the ship, but that which makes the ship valuable—the freight which it has to earn for the voyage in which it is engaged. A man expects when he sends his ship from London to Calcutta, or when he sends it from Calcutta to London, perhaps, with the view of the ship coming back, he expects to make certain profits out of the voyage. At present he may secure the gross amount of the freight which he has to receive, and certain expenses which he may have to incur. If, for instance, he expects to incur expenses to the amount of £500 and make a profit of £500, he will insure for £1,000, and if the voyage is complete he receives that which he is entitled to receive. But it may happen that before the ship has got far on her voyage she may be lost, and he will then be saved a great proportion of the expenses he would have to incur, and yet he would be entitled to receive the total amount at which he valued the gross freight, although not liable to various deductions to which, had the ship reached its destination, the freight would have been subject. We propose, therefore, to provide against that by the following clause:—

> "Where there is an insurance on freight effected after the commencement of this Act, the insured shall not be entitled to recover in respect of any freight lost without allowing for the proportion of expenses remaining, at the time of the loss, to be incurred in earning such freight. The amount to be so allowed shall be ascertained or estimated as the Court, in any action on the contract, directs."

I think that that is a condition naturally equitable, which will commend itself to any one who will take the trouble to consider the point. The next point which it is proposed to deal with is what is called double insurance—or I should rather say, insuring the same thing twice over in different forms, for the term "double insurance" has a different meaning. It is, I believe, understood that when a man insures his ship in the ordinary course he insures not only the ship itself, but also what is known as the outfit—the furniture, I think, is the usual expression; "furniture" being used to cover various items, such as wages of seamen and other charges. But as this outfit might also be reckoned over again in the insurance of freight, it may happen that a man may first of all insure this, and afterwards get it insured over again in his freight. It is obvious that that ought not to be so, and the mode in which we propose to deal with it is to provide that—

> "Where an insurance on freight effected after the commencement of this Act covers cost of wages, outfit, and other charges, and that cost is also insured by any other policy effected by the same person, that cost shall be deemed to be the subject of a double insurance. So much of the cost aforesaid as has hitherto been covered by an open policy on ship shall, in case of a policy upon ship, whether open or valued, effected after the commencement of this Act, be deemed to be covered by that policy, unless expressly excluded thereby."

Double insurance means that if a man insures his ship in one office, and then goes and insures it again in another office, he can only recover from one of these offices, and the other office may claim from the office to which he does not apply its contribution towards the amount insured. Suppose a man under the present system insures for £500 in two offices, he could only recover £500 in the whole; but suppose he insures his outfit once under the insurance of the ship, and again under the insurance of freight, he would be able under the present law to recover the sum twice over; but under this provision he will only be able to recover once. There is but one other point to which I need refer, and that is the question of time policies. There are two different policies—voyage policies and time policies. Voyage policies cover a ship from one port to another, and when a ship is insured for voyage only, a warranty is given on the part of the shipowner to the underwriter, that the ship is seaworthy at the commencement of her voyage. But there is another kind of policy which, I believe, is coming very much into use, and that is what is called a time policy. A man insures, not for a particular voyage, but for a particular period of time, generally for a year. That is the outside time for which a man can insure a ship. In the case of insurance by a time policy he is not understood to give any warranty whatever with regard to seaworthiness, and there are good enough reasons for that, because a ship might be in the middle of the ocean, and in that case it would be unreasonable to give a warranty. It is no doubt a harder thing to deal with insurance by time than insurance by voyage, because in the case of a voyage policy we know what upon the whole is likely to be the work the ship will have to perform, and what perils she will have to encounter. In the case of a time policy it is difficult to say what the work may be in the course of a year; therefore the provision we propose to make is this—That

> "Where an insurance on behalf of a shipowner on ship or freight by time is effected after the commencement of this Act, the insured shall not be entitled to recover in respect of any loss occurring, if the loss would not have occurred but for the unseaworthiness of the ship, and that unseaworthiness existed at the time of the ship leaving the port or place of safety (if any) in which she was at the commencement of the risk, or the port or place of safety in which she was last before the commencement of the risk, and could have been prevented by the exercise of reasonable care on the part of the owner or of the master of the ship, or of any agent of the owner, charged, as such, with the loading of the ship, or with the sending of her to sea from that port or place."

There is a further provision that

> "For the purposes of this section, unseaworthiness arising from the defective condition of the hull, equipments, or machinery of the ship, or by reason of overloading or improper loading, shall alone be deemed unseaworthiness."

I have now endeavoured to explain the objects of the Bill, and I have explained what the proposals are that we have to submit. If we were now for the first time forming a code of Marine Insurance we might probably be inclined to frame somewhat different machinery, but we have kept in view the existing state of things and endeavoured to avoid the introduction of new terms or systems. We have endeavoured to amend patent and obvious blots, and we hope that the measure which we submit, which is the product of great thought and anxious consideration, however it may meet theoretical objections, will be found of considerable practical advantage in the direction in which we wish to go. I do not know whether hon. Gentlemen wish to discuss the clauses of the Bill; I have no desire to limit discussion, but it may be more advantageous if the Bill is allowed to be printed before there is any general discussion. At the same time the matter is one of so much importance, and affects so many interests that I am anxious no mistake should be made, and that is why I have read the *ipsissima verba* of the clauses to which I have referred. If there is any point on which I have not made myself clear, I shall be most happy to answer whatever questions may be asked, but knowing that the House is anxious to hear my right hon. Friend, who will cover a large range of the subject, I have to apologize to him for having stood in the way of his more interesting statement. The right hon. Gentleman concluded by moving the Resolution.

Mr. NORWOOD said, he had no desire to anticipate the full discussion of the measure that must ensue on the second reading of the Bill; but after its introduction by a speech of considerable length, enunciating the views of the Government on so important a subject, he wished to offer a few observations. He had not a word of disparagement to say with reference to the general tone of the speech of the right hon. Gentleman, or the description he had given of the feeling that animated the Government in approaching the subject, and, speaking for his class, he (Mr. Norwood) could say that it was the desire of the shipping interest, not only to have a final and satisfactory settlement of this large question this Session, but, as far as possible, to work heartily and cordially with the Government in obtaining it. He regretted that the Government had decided upon entering upon so intricate, delicate, and difficult a subject as the alteration of the Law of Marine Insurance—which had been raised, not by statute, but by a series of decisions of past years by able Judges, confirmed by the highest Courts of Appeal, clearly understood and acted upon—without first having a full and complete investigation into the whole of the subject. There were strong and valid reasons why some of the Government propositions should not be carried out. As a member of Lloyd's and of several insurance clubs, he was able to state that the evils resulting from over-valuation were extremely light; not a dozen cases of the kind had come under his observation, and the view taken by the Royal Commission on this part of the subject ought to have some little weight in guiding the decision of Parliament. The Royal Commissioners did not recommend an alteration in the law as to total loss on valued policies, and said it would be unwise and unjust to interfere with contracts between the assured and underwriters, unless our whole system of Marine Insurance were completely revised and amended; and, further, that the revision of such laws was a task of great difficulty, requiring evidence of an exhaustive character, and careful and lengthy investigations, which did not fall within the scope of a Royal Commission. The right hon. Gentleman had not informed the House whether he intended to make any breach of the proposed law punishable by fine and imprisonment; but without it how could he prevent shipowners from joining together for mutual insurance or resorting to honour policies, and was he prepared to prevent, under severe penalty, any shipowner from insuring his vessel abroad, as was done now in Paris, Vienna, and St. Petersburg, and even in Switzerland? There was, then, extreme danger in interfering with our present system of Marine Insurance by the machinery described by the right hon. Gentleman, as it might open the door to constant dispute and litigation. The effect would simply be, that instead of going to Lloyd's to insure, shipowners would adopt mutual insurances to a greater extent, and instead of effecting legal policies would enter into honour policies, under which they were more secure than any other form of policy. The right hon. Gentleman did not propose to deal with partial losses and other matters of much interest. He would not then go into details by which he could throw a different aspect on the description and elucidation of the right hon. Gentleman; but with regard to the tone in which he had introduced the subject he had not the slightest objection, and he had shown considerable mastery of a subject of a technical and detailed character. The interference with the law of contract as proposed was an interference that would be strongly objected to not only by shipowners, but by underwriters also, and as a member of Lloyd's he could say that there was a general objection to this interference. The whole of the shipowning body of the country were sincerely desirous to have a settlement of this question upon a broad basis that would satisfy the country, but they seriously objected to a question of such extreme difficulty and danger being opened without a full and complete inquiry, which they thought the importance of the subject deserved. So far as he was personally concerned, he would not take any step until he had perused the Bill; but he was disposed to anticipate it would be the duty of those who represented the shipping interest to move, on the second reading, that it was inexpedient to alter the present law without a full and complete investigation into the whole subject, either by a Royal Commission or a Committee of that House.

Mr. WATKIN WILLIAMS congratulated the Government on having resolved to legislate on the important subject before the House, and upon the extreme moderation and caution with which they seemed to have approached it. The shipowners of this country were, he admitted, as a rule, a noble-minded body of men, but then they were not free from the evil to which every other great interest or profession was liable—that the profits which they realized attracted to them a certain number of persons who were unscrupulous and reckless, and who did not care what they did in order to put money in their pockets. Even the profession to which he had the honour to belong included some members whom they were sorry to see amongst them. Those who were experienced in the subject knew perfectly well that there were three great sources of danger to life in the carrying on of the shipping business. In the first place, the practice which had sprung up within the last 15 years, by which the shipowners exonerated themselves from every species of liability to persons who put goods on board their ships, had a tendency to cause recklessness not only on the part of the shipowners, but of the mariners themselves. That was in itself a source of danger, and, having had much to do professionally with that class of bills of lading, he had years ago warned shipowners and shipping companies that the day would come when the Government would interpose and put a stop to this practise of exonerating themselves from responsibility. He was glad the Government had had the courage to deal with the subject of bills of lading. As to valued policies, he thought the matter was too clear for argument, and he could not help thinking that his hon. Friend the Member for Hull (Mr. Norwood) must have prepared his observations with the idea that a Bill of a totally different kind was about to be introduced into the House. Indeed, his objections seemed altogether contradictory, for first of all, the hon. Member seemed to ignore the existence of such things as excessive insurances, and then he said that this Bill would be nugatory, for that the insurers would go to Austria, to Switzerland, to Italy, and elsewhere. What was the meaning of that, if the evil struck at by the clause in question did not exist? He (Mr. Williams) was under the impression, from what he had heard out-of-doors, that the Government was about to introduce a much more violent change in the law, but they seemed to him to have prudently abstained from going the length that some had urged them to do, and had presented to the House a moderate and useful measure. By the Bill valued policies were not forbidden; it was not said that assurers should not recover, but that if it should appear to the tribunal before which the question came to be tried that there were good grounds for believing that there had been an excessive and improper valuation, that tribunal should have the power, not of declaring the insurance to be illegal, but of causing an independent inquiry as to whether there had not been an abuse of this convenient practice, and the consequence would be that the insurer would only recover what amounted to an honest indemnity. He could not conceive any objection to that provision. No honest man would be injured by it. He might remind his hon. Friend that cases of excessive insurance might occur inadvertently, as, for example, the case of the *Sir William Eyre*, on which an insurance on a valued policy of £15,000 was effected. It was not known at the time to the assured or the underwriters that the ship was practically a wreck. She went on shore at New Zealand, and the injury the ship had received was so great that it had reduced her value so that she was not worth £1,500. She was destroyed by fire, and the assured sought to recover on the policy, not £1,500, but £15,000, and it was held that he was entitled to recover the larger sum. He never could see the sense of that, and he should hail with pleasure any law which would prevent the recovery of the amount insured under such circumstances. He congratulated the Government for the courage which they had shown in introducing that clause, and he hoped they would persevere with their Bill, which, as far his judgment went, was a moderate and useful measure.

MR. E. J. REED said, he was of opinion that the Government in this measure had gone the shortest possible distance in the way of satisfying public expectation. When the right hon. Gentleman the Chancellor of the Exchequer first gave an intimation of his intention, it was expected that, in order to meet a great public demand, some limitation would be placed on the amount to be allowed to be insured—say three-fourths of the value. If any such limitation had been proposed, he should have objected to it, because he should have regarded it is an undue restriction upon trade and commerce. Every one free from prejudice who had listened to the right hon. Gentleman must have felt that, if he had erred at all, he had proposed a Bill which erred wholly on the side of moderation, and he regretted it did not go far enough in protecting the other classes concerned. He was sorry to hear his hon. Friend the Member for Hull (Mr. Norwood) threaten an opposition to the Bill on the part of the shipowners. The Government would, he feared, experience difficulties from not shaping their measure sufficiently in accordance with the other classes interested. For himself, he objected to hear the honourableness of shipowners so much insisted upon in that House. Parliament, in its legislation, did not assume dishonourableness in any particular class, and the House had no right to be told so often, and its time ought not to be taken up by so many assertions of the honour of the shipowning class, when legislation for that interest was rendered necessary by the conduct of some of them. But, as so much was said about the honour of the shipowners' class, he should take the liberty of mentioning a circumstance which did not speak well for the conduct of certain persons belonging to that body. Last year Parliament passed an Act to compel the shipowners to mark their vessels with a load-line. That was a moderate proposal; yet it was stated the other day by *The Times* that in one of the Northern ports the shipowners had marked the load-line in a manner, not only to evade the Act, but to bring legislation on the subject into ridicule or inoperativeness. There was an absence of want of proper feeling and a proper sense of honour on the part of certain of the representatives of that class. They were represented in that House by Gentlemen of eminence, and honour, and probity; but they ought to be free to discuss that question like any other, without having it assumed that in shaping their protective legislation they were attacking the honour of the class to be affected by it, and he hoped that in future debates they would hear a little less of it and a little more of sympathy for the other classes concerned. The right hon. Gentleman, in his speech that evening, deprecated the bringing in of any measures on the Opposition side of the House having a tendency to injure the shipping interest.

THE CHANCELLOR OF THE EXCHEQUER: I did not say that they were introduced with the intention of injuring the shipping interest, but that they might have that effect.

MR. E. J. REED said, that any measures of the kind alluded to were brought in and supported with the idea, not of injuring, but improving the shipping interest, and the House had heard at a most untimely moment the old threat that the effect would be to drive British trade from being carried on under the British flag. He believed it would be found, on the contrary, that the effect would be to protect and invite trade to stop under the British flag. He was glad the Foreign Office had received assurances from some of the most important of the Governments of Europe that they were quite disposed to go with us in our legislation for the protection of ships and sailors. He hoped that, so far from driving any ships from under the British flag, temperate and careful legislation of this kind would have an opposite effect. He hoped that the Government would not look too much to the shipowning interest of the House, while treating it with all due respect, but would remember that there were others in the country beside shipowners; and, in conclusion would say that, although the clauses of the Bill did not go so far as some might wish, he thought the honourable and moderate efforts of the Government to modify legislation in the direction of promoting the saving of life at sea could be effected without the least injury to any shipowner whatever.

SIR ANDREW LUSK said, there were very few shipowners in the House, and of late very little attention had been paid to them when their interests were under discussion. In bringing the subject forward the Chancellor of the Exchequer had put things in the best light he could. It must be remembered that the Bill went in the direction of unsettling many important matters that had come to be understood; and, having once begun to do that, it would be difficult to know where to end. It would be an incessant annoyance to shipowners if they had to fight disputes with underwriters about value. Many of the shipping laws, like those of the British Constitution, had never been passed by Parliament. In legislating about insurance they would be dealing with men who were quite able to take care of themselves; but the attempt raised the question of all kinds of insurance, including, he submitted, fire and life, and went on the principle that a man could not properly judge for himself. The hon. Member for Hull (Mr. Norwood) was therefore surely justified in explaining the way in which the measure would affect him and the interest he represented, and he thought the hon. Member for Pembroke (Mr. E. J. Reed) had been a little hard on him. The tendency of the proposed legislation was to throw all the shipping interest into the hands of the great shipowners, and to place difficulties in the way of poor men who, perhaps, owned only one or two ships, and were trying to rise in the world, which would prevent the consummation of their desires.

Mr. GOSCHEN, while admitting the propriety of the appeal made by the right hon. Gentleman the Chancellor of the Exchequer that they should discuss the Bill as little as possible now, said, no one could complain that shipowners should rise and state their views, and he would appeal with confidence to the Committee to admit that shipowners need not shrink from stating their views with perfect frankness. Those who represented the land or other interests that were affected by legislation would be heard patiently on every point; and a like indulgence would be granted to shipowners. From inquiries he had made, he found that a large body of underwriters considered that they had no pecuniary interest in the settlement of the question, and they would not be disposed to offer any opposition to legislation which would not lead to litigation. What the underwriters feared more than anything else was the possibility of litigation, and they would desire to oppose the Bill only so far as the changes involved might lead to the hindrances arising from the unnecessary interference of the legal profession. There was one point which would be acceptable to underwriters, and that was the implied warranty which already existed in other cases. He hoped the Bill would be examined mainly with the object of seeing how far it accomplished the object at which it aimed, and whether it would lead to so much litigation as to make it unworkable. The main task of the Government would be to prove that their measure would be effectual, and that it could not be evaded, as it would probably be if it were not very precise. The hon. Member for Hull (Mr. Norwood), for instance, had himself pointed out one danger which might possibly arise when he suggested that honour policies would supersede legal policies. He hoped the Bill would be examined carefully with a disposition to meet the Government, if it could be done without injury to the great interests involved, and with the certainty that saving of life would result from the changes proposed.

Sir JOHN LUBBOCK thought that the hon. Baronet the Member for Finsbury (Sir Andrew Lusk) was on the horns of a dilemma; either excessive valuation was frequent—which he himself did not believe—in which case some such Bill was surely necessary, or it was confined to rare cases of fraud, in which case the Bill would not affect honest shipowners; but, on the contrary, by diminishing marine risk, would tend to benefit them by lowering premiums. As chairman of a Marine Insurance Society, he was not afraid that this portion of the Bill would drive insurance abroad or to clubs, for clubs would not permit excessive overvaluation. It must be remembered that the Bill tended to assimilate the law of marine assurance to that of fire and life, in neither of which overvaluation was permitted. He had made inquiries of two of the principal fire offices as to the danger of litigation, and he was informed that there were very few cases of litigation arising out of overvaluation in fire insurances; still fire insurance offices would be sorry to alter the existing law, for the power of opening the question of valuation had in many instances led to the detection of gross frauds which would otherwise have been successful. He believed such would be the effect of the clause in the present Bill, and that shipowners, instead of being injured, would be benefited by the proposed measure. If fraud were stopped by the Bill the honest shipowner would be the gainer. As regarded the question of freight and the other clauses, the matter required careful consideration, but he could not but hope that on the whole the Bill would prove a valuable measure.

The CHANCELLOR of the EXCHEQUER thanked the Committee for the manner in which they had received the Bill, and said he could assure the hon. Member for Hull (Mr. Norwood) that in what he said at the conclusion of his speech he had no wish to prevent hon. Gentlemen who were interested from making any remarks they pleased. What he was anxious for was that they should, in the first place, go on with the interesting subject which his right hon. Friend the President of the Board of Trade (Sir Charles Adderley) would have to bring forward, and also that hon. Gentlemen should not be in a hurry to commit themselves with regard to this Bill until they had had time to think it over, because he apprehended it was of a character somewhat different from that which many hon. Gentlemen might have expected. It would require some little consideration and study as to the way in which it would work before they could form an opinion of its effect, and how far it met the circumstances of the case. He was as anxious as the hon. Member for Hull that no prejudice should be raised, and that they should consider the Bill calmly and see how far it really would work. In reply to the remark of the hon. Member for Pembroke (Mr. E. J. Reed), that he had said too much of shipowners and too little of another class, he desired to say that he was anxious to avoid raising anything like feeling in this matter, which it was desirable to consider calmly and carefully and without respect to classes; and he was also anxious to say, in reply to other remarks, that the measure was not brought forward in any spirit of hostility to shipowners. He was asked whether it would be effective, and he hoped it would, for it would give the sanction of an Act of Parliament to proper principles, which in this, as in other cases, was in itself a desirable object to accomplish.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to Insurances and other Maritime Contracts.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 50.]

MERCHANT SHIPPING BILL.

LEAVE. FIRST READING.

Considered in Committee.

(In the Committee.)

SIR CHARLES ADDERLEY, in rising to move that the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Merchant Shipping Acts, said, the Committee would recollect that he had introduced a Bill on the same subject, with the same title, last Session, which, unfortunately, was dropped; but he had the good fortune to retrieve some of its most important clauses in a short and temporary Act at the end of the Session. In one point of view he was not sorry that those important clauses were so temporarily passed, because an opportunity had thus been given of a six months' experiment to test whether they were wisely conceived and worked satisfactorily. It was now a gratification to his own mind to have to recommend to Parliament to make permanent all the provisions which were temporarily passed in the Act of last year, and which, with one exception, were all taken out of his original Bill; and he wished to show to the Committee that the experience of the last six months, though certainly only a short term, still afforded some test, and had been satisfactory. The Bill he asked leave now to introduce proposed to take up other clauses also of the dropped Bill, and to make two or three additions which he hoped the Committee would consider improvements. Before he described the provisions of the Bill in detail, he might, perhaps, dispose of one suggestion which had been freely and widely made—namely, that Parliament would do more wisely to proceed at once to the consolidation of all the Acts relating to Merchant Shipping. He thought he could adduce two valid reasons against adopting that suggestion. The first was that generally it was unwise to go on amending at the time of consolidating any portion of the law, because every amendment gave cause for further consolidation, and the process would become interminable. He therefore thought that in this case, as in all others, it was wiser to finish amending the law before proceeding to consolidate it. He had another reason—he thought this would be a most unpropitious time to attempt to consolidate the Merchant Shipping Acts; because there was certainly an amount of excitement in the public mind on the subject which would render it unfit to discuss all the details of something like 20 Acts of Parliament. A consolidating law would consist of at least 600 or 700 clauses;

and, in the present state of the public mind, it would be difficult to put up for discussion such a map of details without running the risk of appealing from decisions which Parliament had formed in calmer moments to the impulses of more exciting and less dispassionate times. He had himself attempted, in the Bill that was dropped last Session, to consolidate the discipline clauses of the Merchant Shipping Acts, but he certainly found by experience that it was not a wise attempt; and therefore he did not now propose to re-introduce that portion of the dropped Bill. They had spent the greater part of the time allowed in Committee in discussing the re-enactment of what was already on the Statute Book. He had thought it wise to avoid the repetition of such delay, and had confined the provisions of the Bill to the points most prominently before the public. The late Government had attempted to consolidate the Merchant Shipping Acts in three consecutive years, and their Bills for that purpose, introduced in 1869, 1870, and 1871, now to be found in the Library, certainly were a valuable repertory of information; but on every occasion they were brought forward without any legislative result. He thought the Members of the late Government would therefore agree with him in refraining from consolidating. When he spoke of the agitation of the public mind he did not wish to deprecate or depreciate the value of the agitation which had arisen on this subject. On the contrary, he thought that agitation had roused the attention of Parliament to very important purpose; but, at the same time, it must be borne in mind that a vast deal of exaggeration and misstatements of facts generally attended agitation, and this case would prove to be no exception to the general rule. He would indicate very briefly some heads upon which statements were greatly exaggerated — the deterioration of our merchant shipping; the disasters which were represented as increasingly happening; the deterioration of our seamen, and the greater amount of recklessness, disaster, and loss of life. The conclusion which must be arrived at after a careful examination of statistics of the highest authority was that British tonnage had trebled since 1835; that British ships clearing for foreign ports had sextupled in the same period; that the men employed in British ships in the trade of the United Kingdom had doubled in the last 20 years; and that British ships were not only absorbing the trade of the United Kingdom, but the best trade of other countries also, some of which was even falling off, and coming into the hands of British shipowners. Again, the wrecks since 1836 had steadily decreased in proportion to the number of voyages; and whereas for every life lost between 1832 and 1835 the tonnage was 4,600, for every life lost in the years 1870 to 1873 there were 13,000 tons employed in the foreign trade of the United Kingdom, so that the falling-off in the loss of life was the most remarkable part of these records. He thought it desirable to correct these misrepresentations and exaggerations, and he thought so for four different reasons. In the first place, for the credit of the country; secondly, in the very interests of the agitation itself, as such misstatements might render men sceptical as to the evil which did exist and which should be met; thirdly, because such misstatements and misrepresentations should make them doubly cautious lest they dealt under the influence of any panic with a subject of such vital importance as the shipping interest of this country; and fourthly, as the evil of recklessness which they had to deal with was so shown to be a very exceptional one in the general enterprize of the country, it was the duty of the Government strictly to confine itself to those exceptional cases, and not to attempt to take part in the general conduct of the enterprize, nor to render itself responsible in the place of the undertakers by prescribing the mode of conducting it. The main spirit of the Bill was to check reckless imperilling of life in the merchant sea-service of this country, and with this view to take steps simply as a matter of police for the public protection, but, at the same time, to refrain from harassing the whole Mercantile Marine by needless and even mischievous interference.

He would now proceed to describe the contents of the Bill. The first enacting clause laid down broadly the principle that any man who sent a ship to sea without taking reasonable precautions that it was sent in such a condition as not to endanger human life was guilty of a misdemeanour. That was the law at the present moment. By the first statute on the subject—the Act of 1854, Section 239—any master or seaman who, by neglect of duty, endangered life, was guilty of a misdemeanour. The Merchant Shipping Act of 1871 extended this liability to the owners of ships and to all persons having authority to send a ship to sea. The temporary Act of 1875 extended the liability still further; it not only made anyone, whether owner or other person, who sent, or attempted to send, or was party to sending a ship to sea in an unseaworthy state guilty of a misdemeanour, but also the master who took the ship to sea in that condition. It was a recommendation of the Royal Commission to extend the provision of 1871 to the master; and he introduced a clause to that effect in the dropped Bill. But the clause which he first drafted was largely extended by the hon. and learned Member for Durham (Mr. Herschell), and was, in fact, now called "the Herschell Clause," and had the advantage of his high authority, though it was so extended with his own full concurrence. It was, however, open for the owner to show that he had taken reasonable means to insure the safety of his ship. He had observed that in a discussion on the subject the Shipowners' Association considered this provision as a hardship upon the owner, and not in the spirit of the English law. But they entirely misunderstood the object of the provision, for it was not against, but in favour of, the shipowner that the permission of exculpation was offered. When it had been proved that a ship had been taken to sea in an unseaworthy state, there was a *primâ facie* case against the owner; but this provision gave him an opportunity of showing in exculpation that he had taken all reasonable precautions; and as it would be impossible for the prosecutor to prove a negative, or that he had not taken reasonable precautions, this was the shipowner's proper defence. That clause put the owner of a ship and all engaged very much in the position of other carriers. When an accident occurred on a railway it was usual to prosecute the company's servants for manslaughter through whose fault a loss of life was occasioned, and it was for them to avoid the charge by showing that they had taken all reasonable care. A very important provision in this clause was the registering a managing owner in every British ship, so that there should always be some one under the obligations, and subject to the liabilities of ownership in the Act. There were no successful prosecutions under the 239th section of the Act of 1854, and under the Act of 1871 he believed there were only two. But the Board of Trade had now, under the Act of 1875, a very efficient Law Officer, by whose assistance the law had been more actively put in force than before; and although he (Sir Charles Adderley) could not say, as but a short time had elapsed, that there had yet been a completely successful prosecution under it, yet he believed the indirect operation of the law hadbeen very effective.

The next subject with which the Bill dealt was the obligation of a shipowner to his crew—that he or his agents should take all reasonable precautions to make and to keep the ship in a seaworthy state. This was one of the clauses of the dropped Bill of 1875. Before the Act of 1875 the Common Law bound a shipowner to his crew as a master to his servant—that he would take due care, especially in dangerous employment, to have his machinery in safe condition. But there was no warranty of safety; and in the ruling case on this subject, "Couch *v.* Steel," it was decided in 1854 that seamen could get no damages for injury from unseaworthiness. It was found that there was a statutory obligation to find medicines, but not a safe ship. It was the opinion of the Law Officers in 1855 that a seaman could refuse to sail on the ground of the unseaworthiness of the ship; but when once he had sailed there was no redress for damage in the voyage. The Act of 1871, with a view to amend that unsatisfactory state of the law, allowed to the seaman as a plea in defending himself against a charge of desertion, that the ship was unseaworthy; but in order to get the benefit of the provision he had first to desert. It also gave seamen a right of inquiry by the Board of Trade if a fourth of the crew complained. The clause which he proposed to introduce adopted Section 9 of the temporary Act of 1875, which gave the seaman a civil remedy for injury sustained by the unseaworthiness of a ship, thus imposing on the owner an obligation to the crew out of which he could not contract himself. It brought the seaman within the operation of Lord Campbell's

Act; if he lost his life his widow had a claim, but the owner's liability was kept, as heretofore, limited. As to the detention of unseaworthy ships, the Bill next proposed to embody the provisions of the Act of 1873 for the surveying of ships, but substituted an easier and more expeditious Court of Appeal against the judgments of surveyors; and with the provisions of the Act of 1873 it embodied those of the temporary Act of last year for appointing district officers to whom the Board of Trade delegated their powers of detention. The process of detention under the existing law was this: Whenever there was any complaint made to the Board of Trade that a ship was unseaworthy, or when the Board of Trade had reason to think that a ship was going to sea in that condition, they might send a provisional order for her detention and an officer to survey and report. Upon receiving that report the Board of Trade could send a final order for the ship's detention until the conditions of the order were fulfilled. There was now an appeal to the local Admiralty Court—that was, the County Court. It was proposed that an easier appeal should be given to the shipowners against the judgment of surveyors. The Bill substituted for the County Court a Court of Survey, consisting of a Judge and two assessors, one the nominee of the Board of Trade, the other of the Local Marine Board or Association of Shipowners. To this Court shipowners might appeal in the case of any charge of overloading, and even before appealing they might require the Board of Trade surveyor to take an assessor with him, and settle the point at once. In more serious cases of unseaworthiness the appeal was to be only against the final order. If a Board of Trade surveyor refused to certify to the safety of a passenger or emigrant ship, the same Court was open to the shipowners' appeal; and if a point of science or an important principle were involved, either the Board of Trade or the shipowner might refer it to scientific referees appointed by the Court of Appeal. The Judge of the Court of Survey would be either a stipendiary magistrate or one of a list of fit persons stated in the Bill; while one of the assessors would be a persons of nautical, engineering, or other special skill and experience. These provisions, he hoped, would fairly meet the wishes of the shipowners for a more easy and satisfactory Court of Appeal and the just demands of the case. The clause also made permanent the provisions in the temporary Act of last year as to officers to whom might be delegated the powers of the Board of Trade in case of emergency. Upon this point he would state what he had done in execution of the first section of the Act of 1875 under which he had to make these appointments. After Parliament was prorogued, he sent the chief professional adviser of the Marine Department of the Board of Trade, Captain Murray, to make a circuit of the districts throughout the whole Kingdom and report as to the condition of the Survey staff. Captain Murray's Report, which had been laid on the Table, showed the necessity of an entire re-organization of the staff. The fact was that the Survey staff of the Board of Trade had from time to time, by numerous Acts of Parliament, had so many and such difficult and complicated duties thrown upon them that they were no longer adequate, either in number or qualification, for the discharge of all these duties. They had to inspect ships, survey ships both as to their loading, equipment, and machinery, examine officers for certificates, record the draft of water, and attend to tonnage measurement. These numerous and onerous duties were imposed upon a limited number of surveyors, receiving, he must say, rather inadequate pay. Shipowners might also, with some justice, ask for a higher class of officers to deal with more important questions and to superintend the ordinary staff, so as to insure greater order in their action, and, what was of more importance, greater uniformity of judgment. With this view, following Captain Murray's Report, he had made a consultative staff in London, besides the district Survey staff; he had put principal officers over 10 districts, which embraced the whole coast of the United Kingdom; and these officers would superintend the whole staff of their respective districts. He had also given authority, under the Act of 1875, to some existing officers to detain ships on the part of the Board of Trade, and subject to their sanction; and he had also weeded out what might be called the ineffectives of the staff, and placed efficient men in their stead. On the whole, he thought he had fully carried out the intentions of Parliament, expressed in Section 1 of the temporary Act of 1875; and he had the gratification of knowing that what he had done was thought satisfactory in the different districts where the principal officers had been placed. The reports already made by these officers showed, too, that great benefit had already ensued, and there had already in consequence been less overloading; and that by the presence of these officers on the spot many questions had been settled by amicable correspondence instead of by dilatory reference to the Board of Trade, while they had given material assistance in carrying out the objects of Parliament last year.

Next he came to the question of grain cargoes. Immediately after the passing of the Act of 1875 the Foreign Office sent a copy of the Act to all our Consuls at grain-exporting ports, and told them to report upon any violations of Section 3 in the Act of 1875. Here he might frankly say, for he had no wish to detract from the credit due to the hon. Member for Derby (Mr. Plimsoll), that it was owing very much to his exertions in the Black Sea that the Board of Trade took the steps they did. The Board telegraphed to our Consuls to do what they could to carry out the Foreign Office order, employing fit persons to go on board ship, with power to incur expenses to the amount of £2 per ship. There could be no doubt that the hon. Member did great service in visiting the grain ships, giving information as to the Act, and offering advice. But, at the same time, the hon. Member would probably acknowledge that a Government could not do exactly the same thing which could be done by a private individual in a matter of this kind. The hon. Member's name naturally carried great weight on this subject, and his advice was readily taken. But a Government officer was not received in the same way. His advice was in the nature of a Government order, which, unless he had some means of enforcing it, would perhaps be better omitted altogether. Much, therefore, of the private action of the hon. Member was more effectual than the action of the Government, which had rather followed his suggestions and in his wake. All, however, that the Board of Trade could do was done. The telegrams to our Consuls to take these steps were immediately followed by a circular of instructions, with orders to report home monthly, and in special cases to report immediately, and at the same time to call the master's or the agent's attention to any violation of the Act. In December the Board of Trade sent out a second circular of instructions to all Consuls, Vice Consuls, and Agents, empowering a selected list of them to employ persons to inspect, and they were told to send home reports of all British ships loading or unloading grain at their respective ports. The Baltic, Black Sea, and American ports comprise seven-eighths of the grain-loading ports, and in many of these ports vessels loaded under local regulations, or under the strict supervision of the Government or of underwriters. From such ports, therefore, reports were not required. Instructions were also given to all Board of Trade Surveyors at home to inspect grain ships arriving with any "list" or appearance of improper loading, and to enforce penalties where the Act had been violated.

The next clause related to deck cargoes. This was a very difficult subject to deal with. The Committee must bear in mind that already in the eye of the law deck-loading was in itself *primâ facie* evidence of unseaworthiness; it was cargo in an improper place, impeding navigation and causing danger. Goods on deck were not covered by a general insurance of goods, unless there was a special trade usage; and they gave no claim to contribution if jettisoned, though they were made to contribute to general average. The Customs Act of 1862 abolished the prohibition of deck-cargoes of timber, not only because the prohibition had proved impracticable—a sufficient reason in itself—but because the attempts to carry it out were mischievous. Some things must be carried on deck, since they could not be carried anywhere else. The law ought to check in every possible way such deck cargoes as need not necessarily be carried on deck; and, at all events, the law ought not to give a premium for that kind of loading, as it did at present, inasmuch as deck cargo was the only kind of cargo which did not pay tonnage dues. Various proposals had been made for checking unnecessary deck cargoes. The first proposition was to prohibit them altogether. Among the Notices of Amendments to the dropped Bill of last year was one to prohibit the discharge of all cargoes as might be so imported, and to prevent them from being landed. In his judgment such a proposal could hardly be supported by Parliament. Suppose a deck cargo brought safely across the Atlantic, and, to the delight of eager customers, arrived safely at an English port, it would be absurd to say—"By all the rules of the sea you ought to have gone to the bottom, and you must put out to sea again to ascertain whether you will not go to the bottom." The second proposal was that no vessel should go to sea with a deck cargo without a licence from the Board of Trade. Now, although he had the highest respect for that Department, he could hardly expect that Parliament would give it power to grant such licences. The third proposal was that extra port-dues should be levied on deck-loaded ships generally; but then these dues would be levied equally on all deck-loads of whatever kind they might be, and the rule would apply very unequally in different cases. For his own part, he was in hopes that the Bill proposed a mode of dealing with the difficulty that would prove satisfactory to the House. It was intended specifically to exempt some cargoes from prohibition—such as cattle, meat, and several things which must be carried on deck; but with regard to unexempted cargoes carried on deck, or in any space not included in tonnage measurement, such space would be measured into tonnage measurement and uncovered cargo on the open deck would be measured by its area and the rectangle of its bulk. This, he thought, was a very feasible plan, and would provide an effective check on deck cargoes, or, at least deprive them of their present unfair advantage, while at the same time it would not do more than was in itself reasonable. The proposal was free from all the objections applicable to the plans he had just alluded to. It would give no offence to foreign nations—it would not lead to evasive awning decks—it would carry out the fair principle that all cargo bearing space should pay. He was told by the men most acquainted with the subject that no difficulty or delay whatever would arise, for a ship coming in with a deck cargo would be met as usual by a Customs officer, who would measure that portion of her cargo which was so carried on the way into port. Coasters, however, would not be included in this provision. It was also proposed to insert the deck-cargo clause of the dropped Bill. That was merely a precautionary clause; but it had had considerable effect as a caution. It rendered it imperative on every owner of a ship which cleared with a deck cargo to insert in the log both the quantity and quality of the cargo carried. This would be of great importance to him in case of any question arising as to casualty.

The next clauses of the Bill related to the load-line, which, as the House was well aware, was one of the most difficult and most vexed questions connected with the Merchant Shipping Laws. The present Bill would make permanent the 5th and 6th sections of the temporary Act of 1875. The reports he had received from all parts of England with regard to the enacted load-line were satisfactory, with the sole exception of Liverpool, where, at all events at first, some attempts were made to render the provisions of the Act ridiculous, if not nugatory, by fixing the load-line absurdly high. But, after a little reflection, the shipowners found it was not quite such a trifle as they had imagined. In the first place, the load-line by the words of the Act indicated the point up to which the owner intended to load, and, consequently, if the vessel were lost he would have to prove to the underwriters that he had not really loaded the ship up to that point—for the underwriters, of course, had a right to assume he had done so. Again, in the agreement with the crew it was a very important check, as it gave them a right, which they would not otherwise possess, to make claims and remonstrances. Besides, for marking so as to mislead there was a penalty of £100, which might be repeated any number of times. Consequently, it had been found at Liverpool that the matter was serious, and practical, and evasive load-lines had been changed. At the same time, he was anxious that there should be as little as possible of uncertainty or arbitrariness in the judgments of the Board of Trade surveyors as to the overloading of ships. He wished, therefore, to ascertain whether any general rules could be laid down by way of instructions to surveyors, so as to render their judgments about overloading as far as possible generally intelligible and uniform. For the purpose of procuring the best opinion on the subject he had invited a committee of 12 persons, of whom four were from Lloyd's, four from Liverpool Lloyd's, and four from the Board of Trade, as the best judges, to decide whether any such general rules and principles could be laid down. They debated the subject for two days, and on the third day they separated without being able to come to an agreement. It might be concluded, then, that such general rules were impossible. Every ship, every voyage, every cargo, and every season made the load-line a matter of utter uncertainty. Under these circumstances, he simply proposed to incorporate in the present Bill the load-line section of the temporary Act.

He would next advert to the system of wreck inquiries by the Board of Trade. Objection had been made to the mode of such inquiries because, though they were really intended to be principally useful for eliciting the circumstances of a casualty, they took the character of a criminal proceeding against the captain. In an inquiry into the cause of a wreck it was of the greatest possible importance that all the information that was procurable should be forthcoming, and it must tend to vitiate the inquiry if the evidence of the captain, not to criminate himself, were excluded. It was also objected to the present system that, under it, masters of vessels were brought before Police Courts. The dropped Bill of last Session endeavoured to meet this objection by restricting the inquiry to an inquest, leaving anything in the nature of criminal proceedings to the Courts of Law. All question as to the officer's certificate would thus be decided separately elsewhere. But any endeavour in that way would only render another inquiry necessary to investigate the competency of the master to hold his certificate. However restricted the first inquest might be, the master would have before him the fear of afterwards losing his certificate, and his evidence would be just as much impeded as if the two inquiries remained as now in one. The Bill, therefore, gave up all attempt to divest the inquiry of so far a criminal character, as to involve the competency of the master to retain his certificate. The Bill proposed to take up a suggestion of the Royal Commissioners by the appointment of a superior class of Judges to conduct the inquiries, to be called Wreck Commissioners — three in number, of whom one only would at first be appointed to preside over the largest—namely, that of London. The existing tribunals would continue with this addition. The last important wreck which had occurred—that of the *Deutschland* — showed the importance and illustrated the usefulness of such a step. It was most important that an inquiry should take place quickly, and before the very best authorities; but it turned out that there was no police-court in London which was ready to undertake such an inquiry. A letter was received by the Board of Trade from Sir Thomas Henry, to the effect that it was utterly impossible from the enormous amount of work he had to dispose of to undertake it; and in that letter, which would be laid before the House, he gave extremely good reasons why in such cases not only time but special qualifications were necessary to render the inquiry complete and satisfactory. Under these circumstances, the Board of Trade commissioned Mr. Rothery, Registrar of the Admiralty Division of the High Court of Judicature, and he undertook the inquiry as an Inspector of the Board of Trade under the Act of 1854. He believed that anyone who had followed the proceedings would agree with him that the inquiry was in all respects a full and satisfactory one. While it was so, it nevertheless afforded evidence of the fact that the difficulty as to placing the captain in the position of a defendant could not by any means be avoided. It would, he thought, be found that the Wreck Commissioners, if agreed to, would be a superior and better-qualified class of judges than now existed for the purpose in view. The Bill also proposed that the Wreck Commissioners should be allowed to take depositions in the same manner as the Receivers of Wrecks now did. By such means it was very probable that a great improvement would be effected by the fact that such depositions so taken would gradually supersede the protests now made before notaries.

Two clauses only remained for him to touch upon, and one related to the subject of training ships. He need say nothing to enforce the view that if they could get well-trained and well-disciplined boys to supply the Merchant Marine with better crews they would do more for the safety of ships and for the abolition of the reign of crimps than any Act of Parliament could effect. The Government could not undertake the charge of schools for that purpose. That was impossible. Fortunately, however, there were a great number of persons in the Kingdom who were ready to do so, and the number happily was increasing. It should be remembered, however, that in the existing state of things most of the school ships were filled by boys who had been committed by the magistrates under the Reformatory or Industrial Schools Act, and thus only public aid was given for the supply of merchant ship-crews by training boys of the worst class, and premiums were given out of public funds to the employment of such boys in preference to boys of respectable parents, who would supply merchant crews of the best materials. He knew it was very easy to show objections to grants of public money for the purpose of training the independent poor in any kind of industry, and that such a system would be open to the grossest abuse. Still, he thought that aid could safely be given from special funds to existing training-ships, and to new training-ships which he hoped to see established in all parts of the Kingdom, to enable them to train boys of respectable parents for the merchant sea-service. What the Bill proposed on this subject was to authorize grants out of any surplus of the Shipping Office fees—which surplus they might expect to become greater than now—in aid of school ships training boys of respectable parents who had not been committed by a magistrate, and who when turned out from training and obtaining employment in a merchant ship passed an efficient examination. He had hoped to get a larger sum out of which to make such grants by shipowners assenting to a special fee—say of 3*d.* a ton—on engaging crews; but he had not met with sufficient encouragement to justify him in making the proposal. He trusted, however, that the small beginning he might be able to make would if successful and found practically useful, lead to greater results in the future. The proposal would be greatly supplemented by what had been done by his right hon. Friend the First Lord of the Admiralty, who had made an offer on the part of the Admiralty to such boys so trained, and who entered the third class boy Naval Reserve, by which they would have certain payments, a dress every year, and the prospect of a pension, and that he could not but think would have great effect in holding them permanently to the service.

He now came to the last clause, which proposed something in the way of a certificate of health to be procured by seamen on their engagement. There was no greater source of danger to ships than the diseased and rotten state in which seamen joined their vessels on starting. He had heard of a number of cases occurring on the Thames, the Mersey, and other rivers, of ships having to be taken to the sea by foreigners, owing to the drunken and diseased condition of the British sailors on board. A large number of such seamen were left abroad diseased, and the expense of bringing them home was a charge upon the taxpayer of this country, now amounting to about £30,000 a-year. It would be of great importance, then, in every point of view, that steps should be taken with a view to secure that this advantage to shipowners of throwing a diseased crew on the support of the country, should be allowed only when they had taken the little trouble to see to their being first engaged in a healthy state. Medical officers were employed at public expense to enable them to do so—paying only a fee of 1*s.* per man. He proposed, therefore, that unless the captain had taken the slight trouble of obtaining a certificate of the fitness of his crew for service, the cost of bringing his sick men back should be charged not to the taxpayer, but to the owners of the ship. Having avoided many of the topics that occupied so much of their attention last year, and which were better suited to a consolidating than to an amending Bill, he trusted that they had in the present Bill of 32 clauses fairly and carefully attempted to meet all the points in which the public were chiefly interested at the present time. Many who were personally interested in this question in this House had met the subject in a patriotic spirit, and had endeavoured to carry out, even at considerable sacrifice to themselves, what the public interests required. He could not but think that those who represented the demands of the public were also inclined to put forward those demands in a conciliatory spirit, and divest them of anything like hostility to the great shipowning interests. He therefore felt confident that this Bill would be passed, and that when passed it would meet the objects which the public had in view. If the Bill should pass he could promise that the Board of Trade would vigorously, faithfully, and carefully carry out its provisions. The right hon. Gentleman concluded by moving the Resolution.

Mr. GOURLEY, whilst congratulating the right hon. Gentleman on the clearness and simplicity which characterized his statement, regretted that he had not introduced a Bill to simplify and consolidate existing laws. He thought the proposals contained in the Bill so simple that very little time need be occupied in passing the measure as it stood. At the same time, he could not regard the proposal as altogether satisfactory, in that it did not fix any one with the responsibility of determining the load-line. This responsibility ought, in his view of the subject, to be undertaken by the Government, in order to satisfy the public mind on the question. It was proposed that the grain-loading clauses should be left as they were last year; but he adhered to his own opinion that the only way of dealing with the matter was to provide that one-fourth of the cargo should be stowed in bags and loaded on the top of the bulk. As to deck cargoes, he failed to see why one portion of the cargo should be exempt from tonnage dues whilst another was liable to them. Some information was required as to what the right hon. Gentleman had done during the Recess with respect to foreign Governments. If restrictions were to be placed upon deck-loading in British vessels they ought also, by international agreement, to be imposed in the case of foreign ships. The Court of Survey proposed to be constituted was an improvement upon the plan contained in the Bill of last year; but he could not say the same with regard to the training-ship scheme, unless the Government was prepared to undertake the sole responsibility of establishing such ships at the expense of the country, and so providing for the merchant service the improved class of seamen which was so much required. On the whole, there were many objections to various clauses in the Bill; but he should reserve himself for their discussion during its future progress, and especially when it went into Committee.

Mr. PLIMSOLL said, he did not propose to offer any general opinion on the subject of the Bill of the right hon. Gentleman until he had had the opportunity of reading it and considering it carefully; because, although the statement which they had heard was lamentably short of what would be necessary as a satisfactory solution of the question, he was conscious of the great advantage of the Government taking up the measure, and of the possibility of improving it in Committee. He should meet the Bill with every disposition to see an opportunity of amending it rather than of embarrassing the Government and seeking to keep open the question a day longer than was absolutely necessary. He would like, however, to make one or two remarks upon some of the principal points. He had been very much struck, on the subject of the survey of vessels, with the complaint on the part of shipowners that the onus of proof was thrown upon them, that the vessels which had been lost started in a thoroughly seaworthy condition. The right hon. Gentleman (Sir Charles Adderley) contended that this was a mistaken view of their position. Because nothing could be proved, inasmuch as anybody who could tell anything was at the bottom of the sea. The difficulty of proving a negative was so great that he saw no reason why they should regard the position as unfavourable to them. The right hon. Gentleman had taken much credit for the fact that an efficient Law Officer had been appointed to see that the provisions of the Act of last Session were carried out, although he admitted that there had been no conviction under the Act. Surely if that efficient officer had done his duty he might have discovered in some out of the 500 or 600 cases in which the Board of Trade had stopped ships which were proved to be unseaworthy, sufficient evidence to have convicted the shipowners of an intention to send an unseaworthy ship to sea. He saw no reason why ships should not be placed on the same footing with factories, mines, and mills, and properly qualified persons sent to inspect them, armed with authority to require all necessary conditions to be complied with. The right hon. Gentleman proposed to leave the subject of grain cargoes as it was left last Session, and he added that the Board of Trade issued instructions to its agents on this point. He (Mr. Plimsoll) had seen those instructions, and they warned the agents that they were not to interfere in any way. That was the only trace he could find of any instruction in the Circular. Whilst he felt thankful that duly qualified officers were authorized to go on board ships, they were indebted for that to the Foreign Office, for the Board of Trade gave him a curt refusal to make any such arrangement, and it was only when Lord Derby was referred to that the thing was granted. With regard to deck cargoes, the right hon. Gentleman had said that the legislation that existed before 1862 prohibiting deck cargoes had been absolutely nugatory. He (Mr. Plimsoll) was astonished to hear that statement, because one expected a Minister of the Crown to inform himself on these points. A Circular was issued by the Board of Trade itself to Lloyd's in 1874, asking for information on this very subject. Lloyd's employed two gentlemen of great ability—namely, Messrs. Janson and Wakefield—who examined the records of over 6,800 voyages of timber-loaded ships for 10 years during which deck-loading was prohibited, and for the 10 years after the prohibition was removed in 1862, and they reported to Lloyds, who, he presumed, reported to the Board of Trade, that the loss of life since 1862 was vastly greater than when the deckloading was prohibited. The evidence was most conclusive on the point, though at the moment he forgot the figures. The right hon. Gentleman made himself a little merry at his (Mr. Plimsoll's) expense, because he desired to prevent deck-loaded timber ships from entering British ports, and had asked whether such ships were to be sent out to sea again to be lost. He, however, was not to be deterred from carrying out his object by ridicule of that character. Of course such ships were not to be sent out to sea again to be lost; but heavy penalties might be imposed upon all such ships which entered our ports, and the effect in time would be to prevent them being sent here. That legislation of that kind if properly enforced would be successful, had been proved by the Indian Government, who had imposed heavy penalties on all over-crowded and ill-found vessels which brought home the pilgrims returning from Jaffa, and had thus put an end to the evils sought to be repressed. The right hon. Gentleman had expressed himself satisfied with the legislation of last year as to the load-line; but upon that point he should be prepared to join issue with him in Committee; because one of the right hon. Gentleman's own supporters had said, with regard to many of the ships sailing from the port he belonged to, that the load-line might just as well be put upon the funnel as where it was placed under last year's statute. Shipowners who placed a very fair load-line on their ships in our ports buried that line completely when they got into the Black Sea, and thus it became utterly valueless. In the present Act there was no penalty for submerging the load-line, such as it was. The right hon. Gentleman also described how he had got 12 representative gentlemen to try to devise some general scheme by which it might be decided when a ship was overloaded, and they had failed. No doubt they would fail, because the problem he set them was the wrong problem. The question was not how to get a general ruling, for such a thing could not be devised, but—"Can you, or any two of you, on any ship submitted to you, find a safe load-line for that ship?" The Bristol Chamber of Commerce had recently passed a sensible resolution on this point; but the only method of determining what was a fair load-line was by considering each individual case. No general principle could be applied to these matters. But there would be no difficulty whatever in experts dealing with each case, and the load-line already in operation would greatly facilitate their labours if such a commission of experts should be appointed. The Board of Customs were already in possession of the lines of each ship; and if the Government were desirous of arriving at a satisfactory conclusion he should recommend them to get the 12 gentlemen to go through the returns made by the shipowners, and where they found that an ample free board had been allowed put those ships aside and deal with the remainder one by one. The right hon. Gentleman had said that the inquiries with regard to lost ships generally became inquiries, not into the seaworthiness of the ship, but into the guilt or innocence of the captain. That was precisely what he (Mr. Plimsoll) said last

Session, for which he got into dreadful hot water at the hands of the right hon. Gentleman. What he said would be found in the debates as well as the manner in which his remarks were received. Undoubtedly it was the case that these inquiries resolved themselves into the guilt or innocence of the captain and not the seaworthiness or otherwise of the ship. It was unnecessary that he should disclaim all intention of libelling all shipowners; but the right hon. Gentleman had given an illustration of the abnormal position into which this great and important question had drifted when he informed the House that ships were frequently taken down the river by foreign crews until the drunken and diseased English sailors were put on board of them. Why, he asked, were shipowners treated entirely different from other employers? Suppose the railway company had said in respect to the Abbots Ripton collision—"Oh, the engine-driver was drunk and the stoker was drunk," and had urged that as an excuse, would not the public say—"It is your business to provide sober men?" Why should the shipowner be relieved from responsibility for the acts of their servants? Why should shipowners not inquire into the character of their servants, and see the sort of people they were engaging? If a drunken crew were put on board at the last moment, who was to blame—the men, who were helpless, or the sober men who sent them to sea in that condition? He did not see why shipowners should not be held responsible, like any other class of employers, for the people they employed. He must now repeat what he said at the outset, that when he found, although the clauses of the Bill were apparently unsatisfactory, that there were clauses dealing with survey, deck cargoes, load-line, and grain cargoes, he thought that even if the Bill might not be such as the House and the country would accept as it stood, yet it would afford a framework which the House in Committee might fill up with some very good and useful legislation. While reciprocating the kind expressions used towards himself, he hoped the Government would approach the subject with a disposition to accept the opinion of the House in the matter. He trusted the decision on each separate issue as it arose in the hands of the House, confident that so far as the House could accomplish it, they would have good and useful legislation on the subject.

Mr. SHAW LEFEVRE said, the failure of last Session was to be attributed mainly to the fact that the Bill of the right hon. Gentleman had not precedence over the Bills of his Colleagues; it was postponed to almost every Bill of his Colleagues. But even when the House finally got into Committee upon it the House would recollect that the measure had hardly been properly considered by the Cabinet itself, and the right hon. Gentleman did not receive from the Prime Minister the support which might have been expected. The House might hope that these mistakes would not be repeated this year, that this Bill would be properly considered, and that full opportunity would be given for the discussion, not only of its clauses, but also of the very important Amendments which would probably be proposed by the hon. Member for Derby (Mr. Plimsoll). He regretted to hear what the President of the Board of Trade had said with respect to the question of consolidation. He (Mr. Shaw Lefevre) thought a Consolidation Bill ought to follow this Bill immediately. The President of the Board of Trade seemed to think that there could be no consolidation, because there was too much excitement in the mind of the public on the subject; but without some interest in the public mind it would be impossible at any time to carry a Consolidation Bill. Therefore, he could not but think that, considering the somewhat meagre programme which the Cabinet had laid before Parliament, it would be possible to carry not only this Bill, but also a Consolidation Bill which would reduce to something like order the great chaos in which all shipping questions were now. He must admit that from all the information he had received with respect to the appointments made during the Recess under the measure of last Session, they were judicious and good ones. He was quite certain that one appointment made by the right hon. Gentleman, or rather by the Prime Minister—namely, that of the hon. Member for Lincolnshire (Mr. Stanhope) to the Board of Trade—had been received with great satisfaction by the House, and he might say by the country. He did not propose on the present occasion to go through the many details stated by the right hon. Gentleman; but there was one point on which he must say a few words. The House would recollect that last Session the right hon. Gentleman proposed in his Bill that a sum out of the Mercantile Marine Fund should be applied to the training of boys for the Merchant Service. He wished to know whether the right hon. Gentleman would lay on the Table any scheme under which that money would be laid out in the training of boys for ships. Last Session the right hon. Gentleman, he believed, was unable to give the House any scheme, for the best of reasons—because he had no scheme at all. [Sir CHARLES ADDERLEY dissented.] At all events, the right hon. Gentleman was not able to give it to the House. He hoped the right hon. Gentleman would tell the House what sum of money he would contribute towards the training of boys, and subject to what conditions. The right hon. Gentleman's proposal involved, directly or indirectly, the taxation of shipowners, and they were entitled, he thought, to know on what conditions this money would be spent. As to the other details of the Bill, they would be better discussed on the second reading.

MR. E. J. REED admitted that the Bill went further than he had anticipated, and he was glad that it did so. It proposed to legislate on three out of the four important points which had been under deliberation last year. It did not deal with the question of load-line as the hon. Member for Derby (Mr. Plimsoll) would wish; but he (Mr. E. J. Reed) apprehended that the object of legislation was not to embody the views simply of one particular individual, but to legislate for the general satisfaction. What was wanted was that the Government should show they were disposed to go as far as the country desired them to go, and that had certainly been done in this instance. But though it did that, he himself was of opinion it might have been better had the Government gone further. For himself, he believed that a survey of ships by the Government was perfectly practicable. He did not agree with the hon. Member for Derby that the load-line proposals were unsatisfactory. That subject, it ought to be borne in mind, was full of difficulty, and the right hon. Gentleman had shown that the owner's load-line had many beneficial indirect effects. With regard to the question of deck cargo, as with regard to the question of a load-line, he thought that the proposal of the Government was an extremely well-considered one; but he doubted if it would be found to be a final one; or that it was all that the Government could fairly be asked to prescribe. He believed that the Bill was a very fair proposal as a whole, and that, both in what it did and what it admitted of being done in Committee, it put before the House a measure which they might well receive with satisfaction and thankfulness.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Merchant Shipping Acts.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. RAIKES, Sir CHARLES ADDERLEY, and Mr. EDWARD STANHOPE.

Bill *presented,* and read the first time. [Bill 49.]

PARLIAMENT—BUSINESS OF THE HOUSE—OPPOSED BUSINESS.

RESOLUTION.

MR. HEYGATE moved—

"That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock at night with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called."

MR. CHADWICK wished to enter his protest against the Resolution, on the ground that he had often seen the Order which it involved used to impede important Motions of independent Members of the House. If it were only a question as to no new Business being introduced after half-past 12 o'clock, for which the late Mr. Brotherton so long contended, he should heartily support the Resolution.

Motion *agreed to.*

COMMONS BILL.

LEAVE. FIRST READING.

MR. ASSHETON CROSS, in moving for leave to bring in a Bill for facilitating the Regulation and Improvement of Commons, and for the amendment of the Inclosure Acts, said, that no one could have read or looked at the Report of the Inclosure Commissioners for the last year without being struck with the very great number of inclosure schemes, passed by the Commissioners, which had been silently waiting for their confirmation by Parliament. For years past Parliament had practically come to the conclusion, without an absolute vote, that it would not confirm any further schemes of that kind until the law regulating the inclosure of commons had been, to some extent, revised; and also that it would not undertake the revision of the law on that subject until it had had laid before it as accurate an account as could be obtained of the quantity of land which yet remained uninclosed, pointing out how much of it could be cultivated and how much could not, together with certain other particulars respecting those lands. All those particulars were now before the House, and he thought it was quite time that an end should be put to that which had become a disgrace to the legislation of this country—namely, that there should be a law passed for the inclosure of commons, and that people should go to a certain expense to have their lands inclosed, and should then find it practically impossible to get their schemes confirmed. Therefore, he thought that the House would probably be of the same opinion as the Government — namely, that the period had arrived when that question should be undertaken, and in a somewhat broad and comprehensive spirit, so as once for all to put the matter on such a foundation as it might rest upon, they hoped, for a long term of years. The Report they had had placed before them as to the extent of land which still remained uninclosed, and otherwise was most interesting. He found that the total amount of that land was about 2,632,000 acres, of which about 883,000 acres were apparently capable of being brought into cultivation; while nearly 1,500,000 acres were unsuited for cultivation, and about 250,000 acres might be called common field land. Now, what had really been the reason why Parliament had held its hand in confirming inclosure schemes of late years? It was briefly this. They had not been satisfied that sufficient compensation had been given to those who had admittedly no proprietary rights over the commons, but who, nevertheless, practically incurred a loss by the fact of the commons being inclosed. Out of 587,000 acres inclosed since the passing of the Inclosure Acts, only something like 4,000 acres had been made into allotments for gardens, recreation grounds, &c., although about 414,000 were available for that purpose; and this he believed was one of the main causes which had brought the operation of the Inclosure Acts into some disfavour, and had led to public opinion demanding the revision of those Acts. He was not going to trouble the House with a discussion of the ancient laws relating to commons; but he thought it right to call attention to the origin of some of the first Inclosure Acts which had been passed. Up to 1845 no inclosures occurred without the sanction of Parliament, except by private Acts; but towards the end of last century Select Committees were appointed to consider the inclosure question. In 1801 the Inclosure Clauses Consolidation Act was passed, the object of which was in the first place to increase the supply of food for the people, the extent of uncultivated land being very great compared with the population; and, secondly, to furnish employment for the soldiers returning from the war of that time. So matters went on until 1845, when, after considerable inquiry, a general Inclosure Act came into law. This Act was intended to facilitate the inclosure of lands by the great saving of expense effected by public instead of private Acts, and by having inquiries conducted locally instead of by Committees of the House, which was more convenient for those whose interests were concerned. Still, there was no doubt the object of the Act of 1845 was, in the main, the increase of the food of the people; and the Commissioners, he believed, had done their duty most faithfully and honestly according to the intentions of the Parliament of that day. The Act of 1845, however, did not recognize any right of the public at large to the commons, which were practically the property of private persons, and no legal decision had ever been given to that effect. But the Act contained certain provisions in order to secure for the public some compensation for the loss of the enjoyment which they individually suffered by the commons being inclosed. Provision was also made for the allotment of gardens, recreation grounds,

&c. Under this Act, inclosures went on to a large extent; but, as he had said, out of 414,000 acres subject to allotment, rather less than 4,000 acres had been allotted. Circumstances had, no doubt, greatly altered since the passing of the Inclosure Act of 1801, and even that of 1845. The feeling of the country had changed on the subject, and the reason for it was not difficult to find. In the first place, the necessity for increasing the food supply of the people by the cultivation of commons was not by any means so pressing as formerly. Indeed, the amount of food that could be supplied by the commons if put under cultivation would be but as a drop in the ocean compared with the supplies that now came from abroad. Then the general increase of the population was so large that in discussing the expediency of inclosing lands they had to consider, not merely how to increase the food supply, but what was really best calculated to promote the health and material prosperity of the people of this country. Whatever could be done in this way without interfering with private rights, it was their duty to do; and the question of commons, viewed in this light, was perhaps of even greater importance now than it was in 1801 and 1845. But it was worth while to consider whether there was no other reason than that he had mentioned for the disfavour into which the Acts had fallen. One point was that under the Inclosure Act there was no security that land which was inclosed would be applied to the purpose to which it was intended—namely, cultivation. It might be employed for building or planting. Again, the provision of the Inclosure Acts for the protection of the community had become practically inoperative. Until recently it was undoubtedly the acknowledged practice of the Commissioners to look upon inclosures as private improvements, and he believed those gentlemen had acted from a sense of public duty. Latterly, however, inclosure schemes had come to be regarded as affecting the material interests of the public, and great strides had been taken in that direction by Parliament. In 1865 a Committee was appointed to "inquire into the best means of preserving for the public use the Forests, Commons, and Open Spaces in and around the Metropolis," and in the following year an Act was passed, and was now law, regulating those commons and dealing with them in quite a different way from the manner in which they had been dealt with before. In 1869 a further inquiry was made, and the Committee on this occasion made certain recommendations which had never before been put in force. In the inquiry care should be taken that public objects as well as private objects should be considered by the Commissioners, and that some information should be laid before Parliament not connected with any particular inclosure, but with the general question, in case an Inclosure Bill were passed. He would not detain the House for a moment in discussing those plans in 1870 and 1872 dealing with the proposals of the Commissioners. The history, if he might so call it, of the legislation down to this point would lead many of the Members of that House to some of the following conclusions:—In the first place, it was absolutely necessary that a Bill should not be brought in having the effect of preventing the further inclosure of commons; in the next place, that any Bill brought in should secure to landowners and those interested in commons the same facilities that they hitherto possessed to make inclosures by a comparatively inexpensive process; and although it should not, any more than any of the previous Acts, recognize in any way proprietory rights, unless where they really existed, it should maintain strictly all the private rights of those interested in the commons. When those persons came before Parliament the effect of each inclosure should be carefully ascertained by the Commissioners and brought before the cognizance of Parliament before Parliament was asked to deal with it. There was one more conclusion to which he thought they ought to come—that it was no longer the interest of the State—at least, to nothing like the extent it was some years ago—to interest itself in the multiplication of inclosures. They must now rather consider inclosures as schemes for private improvement, the State seeing that the public interest did not suffer by the inclosures. If the Act of 1845 had been brought forward in the present day, probably greater effect would have been given to it, considering the temper of the country. He did not believe, however, that the full effect of the Act of 1845 was generally known throughout the country. There was no doubt that in that Act there were very strong provisions, and he pointed to one of the sections which required full information from the applicants as to the effects of the inclosure, &c.—its advantages and its results, so far as the poor were concerned. A Report had to be made by the Assistant Commissioner as to whether he considered the inclosure expedient on private and public grounds. He could not forget that when they came to deal with this question, to settle it they must go upon the lines of the Act of 1845, taking care that the provisions to which he referred should be fully carried into effect. If the House would permit him, he would explain what was the intention of the Government in regard to this point. They started in the Preamble by setting out the provisions of the Act to which he had referred, and by stating that which he believed to be emphatically the truth—that it was expedient to give further effect to the provisions set out in the Preamble. They must take into consideration that which the people of this country wanted almost as much as food—the air which they breathed and the health which they enjoyed. It might be that a great deal should be done with these waste lands; but in a very great many cases it was no doubt necessary for the people of the country that inclosures should still be made, but he believed it would be still more necessary that these commons, in a great number of cases, should not be inclosed. He, therefore, provided that they should be dealt with not only under the old Inclosure Acts, by inclosing them separately, but by keeping them as commons, and giving the greatest facility for their regulation and improvement. The Bill provided that the Commissioners might entertain an application for a Provisional Order—first, for the regulation of a common; and, secondly, for the inclosure of the common; and he sincerely hoped, if that Act became law, as he trusted it would, that more applications would be made for the regulation of the commons than for their inclosure. As to the regulation, he divided it into two heads. In the first place, all that might be wanted was simply the practical adjustment of the rights of those interested in the commons. There were, no doubt, many cases where the rights were undefined, and where disputes led to great misunderstanding. He would take the case of commoners' rights. In the matter of pasture he would not deprive any man of his rights; but there were rights of trover and estrover which might be detrimental to the common, and then he would give power to compensate those with whose rights they would interfere. He would give compensation in kind or in money. As to improvement, it was clear that there were a great number, such as the commons of Surrey, which no one would think of inclosing, but which were in a lamentable state for want of all sorts of things being done, which there was nobody to do, and for which no funds could be found. He would give all those interested power to apply to the Inclosure Commissioners for a scheme by which a common might be improved, or by which some portions of it might be sold and some sort of rate levied on the holders for the purpose of having the necessary improvements effected. When an application was made under the Provisional Order in considering the expediency of that application, he wished to tie down the Commissioners more closely than had hitherto been the case to the desirability of seeing whether the proposed improvements would be really for the benefit of the neighbourhood as well as for the advantage of private rights. By the benefit of the neighbourhood he meant whether they would tend to the health and comfort of the inhabitants of any city or populous place in or near any parish in which the land proposed to be inclosed was situated. That was merely practically re-enacting the words which were to be found in the Act of 1845, and enabling the Commissioners to put in any scheme for inclosure any of those conditions which they might deem to be suitable: such as that free access should be secured to any particular path; that particular trees should be preserved or destroyed; and where no ground for the purposes of recreation was reserved the privilege of playing games at such times and on such parts of the inclosure as might be thought expedient should be secured, so that due care would be taken that injury was not caused to the commoner. He must make some reference to the question of suburban commons. A Bill had been laid before the House with the view of applying the Metropolitan Act to all the great towns throughout the country. That was an Act, however, which it was very difficult to work, and what he wished to see done was that in dealing with inclosures in the neighbourhood of populous places ample security should be taken that a full statement of the facts in each case should be brought before Parliament, and that those who were locally interested in opposing any inclosure should have the opportunity of putting forward their claims and objections. He therefore proposed that notice of any application in the case of a suburban common situated within six miles of a populous place should be served on the urban sanitary authority, and that he should have a right to go before the Assistant Commissioner and ascertain the views of the Board on the question. It was further provided that the urban sanitary authority might acquire by gift or in any other legitimate way a common or any part of it, and the number of persons who would, as he already stated, be required to make an application to the Inclosure Commissioners in the case of an inclosure in severalty might do so in the case to which he was now referring. He did not know whether he need enter further into the details of the Bill; but anyone who had looked into the procedure clauses of the Act of 1845 would see that the question of private rights and public interests was mixed up in a way which was not very clear, and it was, he thought, very much better that they should be practically separated. He had found it very difficult to embody in the clauses, as they stood, of the Act of 1845 all the recommendations of the Committee which sat in 1869; but he had adopted all the recommendations of that Committee, and had inserted the whole of the procedure in the present Bill, repealing, for the purpose, the few sections of the Act of 1845 to which he had just alluded. Hon. Members would, when they saw the Bill, at once find the difference which was established between the evidence relating to questions affecting the benefit of the neighbourhood, and that having reference to private rights. The Government were desirous that on any application for a scheme there should be produced before the Assistant Commissioner all the evidence in favour of the advantages which would be conferred upon the inhabitants of towns as well as that in which private rights were concerned. Then provision was made, not that the Inclosure Commissioners should once a year make any general Report to that House, but that every scheme which came before them, should be separately reported, and, together with the scheme, all the information which they had received in respect to it. It was further proposed for protection of village greens, which were so essential in many parts of the country, that the provisions against encroaching upon them should be strengthened. In a number of old Acts proceedings in such a case could only be taken by certain recognized officers, and the Government had thought it right to make every encroachment on a village green a public nuisance, and to enable any one to proceed against the persons so offending. There was only one further point which remained to be noticed, and that was when the schemes were passed by the Inclosure Commissioners how they were to be dealt with. Now, that was a question of procedure in that House. Originally when the Secretary of State brought in the schemes of the Inclosure Commissioners, his function was one which was purely ministerial in regard to it. Of late years, however, greater interest was taken in the subject, and the Secretary of State for the time being not only brought in those schemes, but had sometimes to force them through the House, although he might never have had an opportunity of pronouncing a judgment as to whether he deemed them to be wise or not. Now, he thought some better plan might be devised, by means of which those schemes might be more carefully watched. He did not regard it as right that the Government should be mixed up with them in the way he had just mentioned, and what he should propose was that some such plan as that which had hitherto existed, in the case of the expiring Turnpike Acts, should be adopted. Those Acts were scheduled, and when the next Session commenced they were referred to a Standing Committee of the House, who reported upon them, and then it was that the Government stepped in, and the recommendation, he might add, of the Committee of 1871 was, that all such schemes as those with which he was now dealing should be laid before a Committee of the House of Commons. Such, then, was the way in which the Government proposed to deal with the question of the inclosure of commons. He believed it was not expedient that an inclosure should take place without full information, and without all objections being heard. It was much more expedient that a large number of commons should be regulated without inclosures; and he hoped when the Bill was considered it would be found that all vested interests had been most carefully guarded, and that people would also see what was equally essential—that we should make greater provision to ensure that the other part of the case would be looked to—namely, the health, comfort, and convenience of those who lived in the neighbourhood of commons, the welfare of small commoners, and the comfort of the labouring poor who were in the habit of frequenting them for the purpose of recreation. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Mr. SHAW LEFEVRE said, that the inclosure of commons was certainly an important subject; but it had not been hitherto regarded as one of such overwhelming interest as to entitle it to a place in the Queen's Speech. If any public interest was felt in the subject, it was in the direction of keeping the commons open rather than inclosing them. The Bill of the right hon. Gentleman, however, was rather taken from the point of view of lords of manors. The right hon. Gentleman had given an interesting account of the question, but had stopped short at the year 1869. In that year a Committee sat on the question, and came to the conclusion that under the inclosures which had taken place for many years the interests of the public had been gravely neglected; and they drew up a Report recommending that in any future inclosures the interest of the public and neighbouring poor should be carefully guarded. In 1871 he (Mr. Shaw Lefevre) brought in a Bill founded on that Report. That Bill was, to a certain extent, a compromise, and was the cause of something like a rupture between himself and hon. Members sitting below the Gangway on his own side of the House. The measure was referred to a Select Committee; which reported in its favour; but it was so vehemently opposed by hon. Members sitting on the other side of the House that it was impossible to proceed with it. In the Session following the Earl of Morley brought in an Inclosure Bill with similar provisions, which was more discussed in the House of Lords than almost any measure of the Session. It had reached a third reading, when it was opposed, and on the Motion of the Duke of Northumberland rejected, on the ground that it interfered with the rights of property. As he understood the Bill now before the House, it was very much the same measure as that brought into the House of Lords. Why, therefore, was not this Bill introduced in the other House? Why should they waste their time in discussing a measure of this kind with the almost certainty that when it went to the House of Lords it would be rejected? [Mr. Assheton Cross: No.] The Bill certainly did not embrace the clauses relative to suburban commons; but otherwise it was substantially the same. [Mr. Assheton Cross: It is a very different Bill.] He (Mr. Shaw Lefevre) must remind the right hon. Gentleman that great strides had been made by public opinion on this subject since 1870, and that he, for one, should not be satisfied with the compromise which he was ready to accept in 1870. Various law suits relating to the commons in the neighbourhood of London, especially that of Epping Forest, had since been brought to a conclusion, and the decisions of the Law Courts in regard to the commons at Hampstead, Berkhampstead, and Tooting, had thrown a flood of light on the subject. Moreover, during the last three years a very important movement had been going on among the agricultural labourers, who at all their meetings laid great stress upon their grievances arising out of the inclosure of commons, and no measure would satisfy either them or the public which did not deal with the question in a broader, wider, and more comprehensive spirit than the Bill of 1871. What had to a great extent preserved the commons hitherto had been the uncertainty as to the rights of the various parties. He did not know whether the Bill provided for the regulation as well the inclosure of commons.

Mr. ASSHETON CROSS said, that if any application were made for the regulation of commons under this Bill, any scheme of improvement would come under the notice of Parliament.

MR. SHAW LEFEVRE said, he believed that very few applications for the regulation of commons would be made under the Bill, and that they would be principally made for inclosures. He should look through the details of the Bill with interest; and if they were really framed on a wide basis, he should give it his cordial support.

MR. GOSCHEN wished to know whether he had understood the Home Secretary to state that the recommendation of the Commission of 1869—that an increased proportion of the land should be reserved—would be followed?

MR. ASSHETON CROSS said, he had removed all limit.

MR. GOSCHEN feared that this left the matter at the discretion of the Commissioners and took away the security from the public.

MR. ASSHETON CROSS remarked that the removal of the limit gave the greatest possible security, because that particular fact of the proportion of land reserved must be brought before the notice of Parliament.

MR. GOSCHEN said, this would be one of the points to which the House would direct its attention when the Bill came before it for consideration.

MR. WHITWELL said, he hoped the country would have time to fully consider the Bill before it was further proceeded with.

MR. LEEMAN thanked the right hon. Gentleman for the manner in which he had introduced the Bill, and ventured to think that the measure was one which would give great satisfaction to the country. He had no hesitation in stating that much good for the general public was foreshadowed in the speech of the right hon. Gentleman, and he believed that all rights would be protected and preserved. The Government were entitled to thanks for taking up a question which had been hung up so long a time, and, in particular, for attempting to provide regulations for large suburban commons, the magnitude of which was out of all proportion to the number of the surrounding population who could make use of them, and the result was they were neglected, to the detriment equally of lords of the manor and of those who had *quasi* rights over them. If the hon. Member for Reading (Mr. Shaw Lefevre) could see no difference between the Government Bill and that which he introduced in 1871, in the name of reason why did he now oppose the Government Bill? If his propositions were right then, they were right now. The mode of dealing with the commons in the neighbourhood of London could have no influence on the legislation required for commons in the remote districts of the country. He hoped the Home Secretary would proceed with all despatch with a Bill which seemed to contain the elements of good for all concerned.

SIR JOHN LUBBOCK said, he had listened with some little astonishment to the remarks of the hon. Gentleman who had just spoken; because, if there was a Member of the House who had done much for the preservation of commons, it was the hon. Member for Reading, and it was not his fault, nor that of the late Government, that they could not carry all their measures. No one he was sure would be more anxious than the hon. Member for Reading to give fair consideration to a Bill aiming at the objects which he had so long laboured to promote.

Motion *agreed to*.

Bill for facilitating the Regulation and Improvement of Commons, and for the amendment of the Inclosure Acts, *ordered* to be brought in by Mr. Secretary CROSS and Sir HENRY SELWIN-IBBETSON.

Bill *presented*, and read the first time. [Bill 51.]

INDIAN LEGISLATION BILL.

LEAVE. FIRST READING.

LORD GEORGE HAMILTON, in moving for leave to bring in a Bill to amend the Law relating to Legislation in India with a view to the consolidation thereof, said, it was the same as that which received unanimous support last Session in the House of Lords, but which had to be abandoned through the want of time to pass it. The Bill would consolidate into one Act certain powers conferred on the Governor General contained in three different Acts of Parliament. At present the Governor General could not pass any law which might in any way affect any part of the unwritten law or Constitution of the United Kingdom wherein might depend in any degree the allegiance of any person of the United Kingdom. These words were so vague and so unmeaning that they were very mischievous, and it was proposed to omit them. The Bill would define more accurately the limits within which the Governor General might legislate, and it would alter the machinery by which these limits were at present tested, which was by a multitude of appeals from the local Courts to Courts of Appeal, and terminating in the High Courts of the Presidency. A practice had lately sprung up, where any act of the Governor General was involved in any suit, for counsel to contend that the law was *ultra vires,* on the ground that the Governor General had exceeded his powers in passing it, and if the Governor General was no party to the suit he had no power to appeal. This Bill proposed to remedy it by declaring that no Court except the High Court of Appeal of any of the Presidencies should have power to declare the law to be *ultra vires,* and if the Court decided that it was so, the Secretary of State for India would have an ultimate appeal to the Privy Council. The provisions of the Bill had been sanctioned by every Secretary of State for India, and by everyone who had occupied an administrative position in India, and unless some such Bill were passed serious political dangers might arise in India. The Bill gave a clear, distinct, and indisputable title to the Governor General in India to exercise those powers with which he had been invested.

Motion *agreed to.*

Bill to amend the Law relating to Legislation in India with a view to the consolidation thereof, *ordered* to be brought in by Lord GEORGE HAMILTON and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 54.]

INTOXICATING LIQUORS (LICENSING LAW AMENDMENT) BILL.

LEAVE. FIRST READING.

Considered in Committee.

(In the Committee.)

SIR HARCOURT JOHNSTONE moved that the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Licensing Laws.

An hon. MEMBER: What Licensing Laws?

Lord George Hamilton

SIR HARCOURT JOHNSTONE said, those affecting publicans and grocers. His Bill, which was a very modest one, consisted of three clauses only, and if it received the support of the Government he looked with confidence to its becoming law. The object of the measure was to suspend the issue of all fresh publicans' licences within certain limits of population, from 500 in towns and populous places, to 300 in rural parishes, and to suspend the issue of grocers' licences altogether from the present time. If, as already stated, he received assistance from Her Majesty's Government there would not be much difficulty in carrying the Bill.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Licensing Laws.

Resolution *reported:* — Bill *ordered* to be brought in by Sir HARCOURT JOHNSTONE, Mr. BIRLEY, Mr. PEASE, and Mr. BELL.

Bill *presented,* and read the first time. [Bill 56.]

STANDING ORDERS.

Select Committee on Standing Orders *nominated:*—Mr. BRUEN, Sir EDWARD COLEBROOKE, Mr. CUBITT, Mr. FLOYER, Mr. THOMSON HANKEY, Mr. HOWARD, Sir GRAHAM MONTGOMERY, Mr. MOWBRAY, The O'CONOR DON, Mr. SCOURFIELD, and Mr. WHITBREAD.

SELECTION.

Committee of Selection *nominated:* — Mr. THOMSON HANKEY, Sir GRAHAM MONTGOMERY, The O'CONOR DON, Mr. SCOURFIELD, Mr. WHITBREAD, and the Chairman of the Select Committee on Standing Orders.

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee *appointed,* "to control arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant at Arms attending this House:"—Mr. ADAM, Mr. DICK, Sir WILLIAM HART DYKE, Mr. EDWARDS, Mr. GOLDNEY, Captain HAYTER, Lord KENSINGTON, Mr. MUNTZ, Mr. STACPOOLE, and Sir HENRY WOLFF:—Three to be the quorum.

LOCAL GOVERNMENT IN TOWNS (IRELAND) BILL.

On Motion of Mr. BRUEN, Bill to reform and assimilate the systems of Local Governments in force in Towns in Ireland, *ordered* to be brought in by Mr. BRUEN, Sir ARTHUR GUINNESS, Mr. CORRY, Mr. MULHOLLAND, and Mr. KAVANAGH.

Bill *presented,* and read the first time. [Bill 52.]

COUNTY PALATINE OF LANCASTER (CLERK OF THE PEACE) BILL.

On Motion of Mr. HARDCASTLE, Bill to amend the Act for making regulations as to the office of Clerk of the Peace for the County Palatine of Lancaster, *ordered* to be brought in by Mr. HARDCASTLE, Mr. HOLT, and Mr. CLIFTON.

Bill *presented*, and read the first time. [Bill 53.]

CONTAGIOUS DISEASES ACTS REPEAL BILL.

On Motion of Sir HARCOURT JOHNSTONE, Bill to repeal "The Contagious Diseases Acts 1864, 1866, and 1869," *ordered* to be brought in by Sir HARCOURT JOHNSTONE, Mr. WHITBREAD, and Mr. STANSFELD.

Bill *presented*, and read the first time. [Bill 55.]

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL.

On Motion of Mr. WILSON, Bill to prohibit the Sale of Intoxicating Liquors on Sunday, *ordered* to be brought in by Mr. WILSON, Mr. BIRLEY, Mr. OSBORNE MORGAN, Mr. M'ARTHUR, and Mr. JAMES.

Bill *presented*, and read the first time. [Bill 57.]

UNION RATING (IRELAND) BILL.

On Motion of Mr. O'SHAUGHNESSY, Bill to substitute Union Rating for Electoral Division Rating for Poor Law purposes in Ireland, *ordered* to be brought in by Mr. O'SHAUGHNESSY, Mr. BUTT, Mr. DOWNING, and Mr. SHEIL.

Bill *presented*, and read the first time. [Bill 58.]

House adjourned at half after Ten o'clock.

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HOUSE OF LORDS,

Friday, 11*th February*, 1876.

MINUTES.]—*Sat First in Parliament*—The Lord Westbury, after the death of his Grandfather.

PUBLIC BILL—*First Reading*—Appellate Jurisdiction (5).

ROLL OF THE LORDS.

THE LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had prepared and laid it on the Table: The same was ordered to be *printed*. (No. 4.)

EGYPT—MISSION OF MR. CAVE.

QUESTION.

THE EARL OF ROSEBERY rose to ask the noble Earl the Secretary for Foreign Affairs a Question of which he had given him private Notice. He wished to ask the noble Earl, Whether Her Majesty's Government were prepared to lay on the Table the Papers and Instructions relative to the mission of Mr. Cave? That mission had excited, not only in the United Kingdom, but in other countries, a great deal of interest, which the explanation given by the noble Earl on Tuesday evening had not tended to allay. That explanation was either more than was wanting, or it was something less. The noble Earl stated——

THE DUKE OF RICHMOND AND GORDON rose to Order. The noble Earl was acting in contravention of the recognized practice of their Lordships' House in making a speech while putting a Question under the circumstances of this particular case. The noble Earl had given private Notice of his Question to his noble Friend the Foreign Secretary, and, taking advantage of that Notice, was proceeding to make a speech on a matter of considerable importance.

EARL GRANVILLE said, it certainly was a Rule of their Lordships' House that no Question on which a discussion was likely to arise should be put without Notice in the ordinary way; but he apprehended that the Rule did not apply to observations made merely in explanation of a Question of which private Notice had been given.

THE EARL OF ROSEBERY said, he was quite in the hands of the House, and he would be very glad not to make any further observations if the noble Earl said he would produce the Papers.

THE EARL OF DERBY said, he was prepared to lay on the Table the Instructions given to Mr. Cave previous to his departure, and some other Papers connected with the subject. Those Instructions and Papers would be laid immediately; but as to any despatches which had passed between the Government and Mr. Cave after that Gentleman went to Egypt, it would be better to wait until his return before those despatches were published.

TRIBUNAL OF FINAL APPEAL—APPELLATE JURISDICTION OF THE HOUSE OF LORDS.

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR rose to call the attention of the House to the question of Appeal from the Queen's Courts in Great Britain and Ireland; and to present a Bill on the subject, and said: My Lords, I take the earliest opportunity of again calling your Lordships' attention—and I hope I am not too sanguine in saying for the last time—to the subject of a Tribunal for Final Appeal for the United Kingdom.

My Lords, I shall have to throw myself on your Lordships' indulgence for a short time while I explain the proposals of Her Majesty's Government; but, my Lords, before I bring that explanation before you I shall have to make a short prefatory statement personal to myself. My Lords, I have never attempted on the discussion of the question now before the House to mix up anything of a personal nature; and as I I have a few words to say of that character now, I think it better to say them at the beginning, in order that they may be entirely disconnected from anything that is to follow.

My Lords, I heard and saw during the last Session of Parliament various statements—and, indeed, observations were made in this House bearing in the same direction — which implied, on the one hand, that although I might have been responsible for the course taken from time to time on this question by Her Majesty's Government, yet that the course they had taken had not always had my cordial co-operation; and, further, that in any assent I had given to that course I had not been myself consistent. I know there are persons to whom it gives pleasure to think that there are questions on which the Members of a Cabinet are divided in opinion. Now, in this instance, I have to baulk the expectations of such persons, because I think it better at once to say that not only am I technically responsible for the course which the Government have from time to time adopted with reference to the subject of a Tribunal of Final Appeal, but that in every instance the course so taken has had my cordial approbation. My Lords, as regards my own consistency, I venture to think that it is a very small matter. It is a matter of opinion; and my opinion is that I have not been inconsistent. I shall venture to express very shortly the grounds on which I make that assertion. In the year 1856, when a proposition was made in this House by the late Lord Derby for the appointment of a Committee to inquire into the practice of the House in the hearing of Appeals, some observations fell from him which impressed me very much, and which express so entirely what I should myself wish to express, that I shall ask your Lordships to allow me to read them. He said—

> "My Lords, I shall somewhat shock some of your Lordships by saying that, highly as I value this privilege, I do not consider its maintenance to be so absolutely essential as some noble Lords may think to the fitting discharge of the other functions of your Lordships. I consider it undoubtedly to be a very high privilege, and a most important privilege; and as regards the legal Members of your Lordships' House, it undoubtedly does vest in them, as being such Members, a very high and a very important and responsible jurisdiction; and even with regard to the House at large, I am not prepared to say, though substantially the authority is not practically invested in them, that the apparent semblance of that authority is not in itself a real source of power of which I should be sorry to see your Lordships deprived. But of this I am quite certain, that if it were necessary to take the alternative between the maintenance of any privilege of your Lordships' House, however important or however valuable, and on the other hand the better administration of justice, there is not one of your Lordships who would hesitate in regard to that alternative, and who would not say, let justice be fairly and impartially administered whatever privileges this House may be compelled to forego."—[See 3 *Hansard*, cxl. 1448.]

Now, my Lords, in the year 1856 nothing was done in consequence of the proposals then made by the late Lord Derby towards improving the Appellate Jurisdiction of this House. In 1872 it certainly did appear to me that on the one hand it was impossible that the jurisdiction should continue to be exercised unless accompanied by some improvement; while, on the other hand, up to that time nothing in the direction of improvement had been effected. Therefore, it was that when, in 1872, my noble and learned Friend who was then Lord Chancellor (Lord Hatherley), as the organ of the late Government, proposed in this House a Bill for the transfer of the Appellate Jurisdiction of this House to another tribunal, I refused to accede to that proposal; and your

Lordships, instead of reading the Bill a second time, assented to a Resolution I then moved, substituting an inquiry by a Select Committee, as to whether changes and improvements could not be effected in the administration of the Appellate Jurisdiction of this House. A Committee charged with that inquiry sat —I refer to this as a matter of history —and in the Committee I ventured to make proposals which it appeared to me would have effected the improvements which the administration of the Appellate Jurisdiction of this House required. My proposals had very great support. My noble and learned Friend who was then Lord Chancellor (Lord Hatherley), although he preferred his own plan, yet when he found that the House was not prepared to accede to it, frankly gave me his support. Lord Ripon, then Lord President of the Council, who represented the Government on the Committee, also supported me, as did also the majority of the Committee. But there was a division in the Committee. Of several Members of great authority, some differed as to the details of my plan, and some dissented from the scheme altogether. The result was that the Report of the Committee came down to the House with a divided authority. It did not, I think, obtain very much support in the House, and I know that out-of-doors strong opinions were expressed adversely to it. I am, perhaps, partial to the proposals I then made. I thought then and I still think that they were good; but I was not so blind as not to see that, though the proposals were recommended by a Committee, they could not, perhaps, be carried through this House, and certainly could not be carried through the other House of Parliament. It appeared to me, then, that improvements were required in the administration of the Appellate Jurisdiction of the House, and that it was not likely that those improvements would be approved by Parliament. Such was the state of things when, in 1873, my noble and learned Friend (Lord Selborne), who then filled the position which I have now the honour to occupy proposed his measure carrying into effect the recommendations of the Judicature Commission, and I gave him my support. I was keenly anxious that the part of that great scheme which did not affect this House should pass into law. As regarded the improvement of the Appellate Jurisdiction of this House, I found there was perfect apathy; and, looking at the substance rather than the form, I gave my support to the Bill of my noble and learned Friend, though I did not approve that portion of the measure which suppressed intermediate appeal and gave a final appeal instead of it. When Her Majesty's present Government came into Office they found the measure of my noble and learned Friend the law of the land; and it appeared to us that as a Government we had only one course to pursue—namely, with the view of accepting what had been done in the case of final appeals in England, to propose a similar rule in the case of such appeals from Scotland and from Ireland, and to make an addition to the scheme of 1873 by the constitution of an Intermediate Tribunal of Appeal, which appeared to me to be necessary. Your Lordships will remember that the Bill to effect those objects passed your Lordships' House and went down to the other House of Parliament, where the Business of the Session before that House did not allow of the Bill being passed into law. We now come to last year. In 1875 the Government took the only course which, as it appears to me, was open to them. They re-introduced the Bill which passed this House in 1874; and then it became evident that a very great change had arrived—a change of opinion not merely in this House, but out of this House. The Government were made aware of that—not only in one way, but in scores of ways. The change of opinion was manifest; and the Government became aware that it would be utterly impossible to pass the measure in the form it had been passed in this House the previous year. But that was not all. So obvious was the change of public opinion that Her Majesty's Government considered it to be their duty to re-consider the question now that a new element had entered into it, and that could have been done in no other way than by the withdrawal of the Bill. My Lords, at the time it was being withdrawn, I stated that I looked on its withdrawal with very great regret. And I did so, for this reason—because it was my opinion at the time that the withdrawal of the Bill must result in the whole scheme for the amendment of our system of Judicature being deferred. It had already been postponed for two years, and it appeared to me that a postponement for a third year was inevitable. But subsequently I was glad, and the Government were glad, to see our way to a Bill which Parliament approved, and which, while addressing itself to the other portions of our system of Judicature, postponed for a year only the question of the Tribunal of Final Appeal. That Bill became law. The great change in our system of Judicature came into operation on the 1st of November last; and I am bound to say that every day makes me more satisfied of the wisdom of Parliament in at once introducing that great change by itself, and relegating to another occasion the question of Final Appeal. Now, my Lords, I have done as far as regards myself. I hold the opinion which I have held from first to last, and I think the course I have taken has been a perfectly consistent one; my desire has always been to secure the best Tribunal of Final Appeal that it is possible to obtain—I never had, and I have not, any other desire in the matter than that.

Before I proceed to explain our proposals for the future, let me, my Lords, say a word as to the results of the Judicature Act now in operation. I am not going to trespass on your Lordships with elaborate statistics—indeed, the length of time during which the Act has been in operation does not admit of the production of such statistics;—but I feel the deepest gratification in saying—and I am sure my noble and learned Friend by whose exertions this great measure was set on foot will feel the deepest gratification in hearing—that so far as I can observe, the working of the Judicature Act has been in the highest degree satisfactory. The working of the Act has been characterized by flexibility, simplicity, uniformity, and economy of judicial time. These have ensured the happiest results already, and these results afford hopeful augury for the future of the measure. And, my Lords, I cannot refer to this subject without bearing my testimony—my grateful testimony—to the frank and generous exertions made by every Division of the Court in giving effect to the Act. My Lords, one can well understand that those who have had long experience of an old system and practice, and are thoroughly conversant with it, might be expected to be somewhat coy in giving their assistance to the working of a new one. But on the part of the Judges there has been none of that feeling. They have shown not energy merely, but ardour, in giving effect to the new legislation, and I believe that it is owing to this spirit on the part of the Judges that the happy results of the measure are in a large degree to be attributed. Though, as I said, I am not going to quote elaborate statistics, I shall mention one or two circumstances by which your Lordships may be enabled to form an opinion as to the advantages which have already resulted from the change. On the 1st of November last there were in the three Common Law Courts—The Queen's Bench, Common Pleas, and the Exchequer, which are now three Divisions of the High Court of Justice—380 *Nisi Prius* cases, which had been made *remanets*, and were waiting for trial. That was a very serious amount of arrears; and I am afraid to say how long a time must have elapsed, according to the former practice, before those *remanets* could have been disposed of. But from the 1st of November last six *Nisi Prius* Courts sat—first at Westminster and afterwards at Guildhall—and before Christmas the whole of these 380 cases had been, I will not say heard, but called on, so that the suitors in every one of them were afforded an opportunity of having their case heard if they themselves were prepared to have it disposed of. Of course, several cases were called on and subsequently deferred at the instance of the parties because it suited their convenience; but the suitors in all those cases had, I believe, an opportunity of having their cases heard. My Lords, there is another fact. On the same date—the 1st of November last—there were standing for hearing from the three Divisions—the Queen's Bench, the Common Pleas, and the Exchequer—27 appeals, which, according to the former practice, would have been heard by the Court of Exchequer Chamber. I cannot say what time would have elapsed before these Appeals in Error would have been disposed of, but I think the Court of Exchequer Chamber was not in the habit of disposing of more than 27 cases in a year. However, the whole of those 27 Appeals were heard and judgment given in them before Christmas. I believe that judgment on one point only was held over, but, with that exception, the whole of them were heard and disposed of. I think I may say, therefore, that the working of the Act has led to the best possible results in respect of economy of judicial time.

I now, my Lords, come to the question of the Tribunal of Final Appeal. In the course of last Session I took the liberty of saying that there were certain points which the Government would consider essential in any proposal on this subject that they might make to the House, and these, I think, were four in number. First, that the Tribunal should be the same for England, Scotland, and Ireland; secondly, that security should be taken that every case heard before that Tribunal should be heard before an adequate number of the most highly trained and experienced judicial minds that the country could supply; thirdly, that the sitting of the Tribunal, whatever it might be, should be continuous throughout the judicial year; and fourthly, that care should be taken that the expense of appealing before the Tribunal should be kept within as moderate bounds as the nature of the case would allow. My Lords, I took the liberty of saying that in my opinion if those conditions could be secured, the question where or in what form that Tribunal should be found was, I would not say unimportant, but comparatively unimportant, as compared with the securing of those conditions. It might be a question of sentiment, prestige, or of traditionary honour and dignity, and if its solution could be accomplished while these greater objects were secured, that, of course, would be the most desirable result at which we could arrive. My Lords, I would now venture to those essentials which I enumerated last Session to add another. Perhaps I should not say it is an essential; but, at least, it would be very desirable. My Lords, I venture to think it would be very desirable if it could be accomplished, that a point of contact should be obtained from the Tribunal of Final Appeal for the United Kingdom and the tribunal which now disposes of appeals from the colonies and dependencies of the Crown. I mean, of course, the Judicial Committee of the Privy Council.

I do not propose to ask your Lordships to accompany me in an investigation of antiquarian law, but I think your Lordships will hold me justified in asking you for a moment to consider what is the origin of the Appellate Jurisdiction of this House in which we sit. My Lords, we are in the habit of saying and recognizing as one of the maxims of Constitutional law on which we set the greatest store that the source and fountain of all justice in this country is the Sovereign. My Lords, let us look at the Courts. The Court of Queen's Bench—what does it mean? Justice is there administered, according to our idea of the Constitution, before the Sovereign through the medium of her Justices. Then the Court of Common Pleas—justice is there administered by the Justices of the Queen. Then the Court of Exchequer—justice is there administered by the Barons of the Queen. In the Court of Chancery justice is administered as in the Queen's Court. and when I turn to the Judicial Committee of the Privy Council, the source of its authority is even more marked, because there the Sovereign directly refers the case to be considered to the Judicial Committee, that Committee reports its decision to the Sovereign, and the Sovereign gives it effect by an Order in Council. My Lords, whence is the jurisdiction of this House? Is it the case that this House overrules by its own authority the judgment given by the Queen, through her Judges in the Court of Queen's Bench and other Courts? Now, my Lords, this appears to me to be a matter of no small importance, and I ask your Lordships' attention to it for a few moments. My Lords, there is no doubt as to the history of the jurisdiction of this House. I ask you to bear in mind the distinction between two parts of its jurisdiction which are essentially different. No doubt your Lordships are aware of the technical difference in this House between Writs of Error and Appeals. Writs of Error related to the Common Law Courts—the Queen's Bench, Common Pleas, and the Exchequer. The judgments of those Courts are subjects of Writs of Error. My Lords, what is a Writ of Error? It is a writ issuing from the Sovereign and in the name of the Sovereign. It is a writ directed to the Chief of the Court—the Lord Chief Justice, the Lord Chief Justice of the Common Pleas, or the Lord Chief Baron—and it commands him to bring to the Bar of your Lordships' House the record of action as to which complaint has been made, and to hand it in, in order that it may be considered by the Queen in the presence of, and with the assistance of, the Lords Spiritual and Temporal. That is the source of the jurisdiction of this House. The source is not a claim by this House to overrule the decision of the Courts—it is the Sovereign of the country asking the advice of this Court as to whether what has been done by the inferior Courts has been done rightly or wrongly. Let me read the words of the form—though forms may be dry things—yet I am anxious to get at the root of the matter, and forms give a great deal of information. I hold in my hand the form of a Writ of Error, which, though it was abolished two years ago, is good for the purpose of showing the source of the jurisdiction of this House. It is addressed to the Chief of the Court, and it commands him—

> "That you do distinctly and openly send under your seal a transcript of the record and proceedings thereon, with all things touching the same, to us in our present Parliament [or if Parliament be not then sitting, in our Parliament at the next Session thereof, to wit, on the day of next ensuing, to be holden], and this writ, that the record and proceedings thereon being reviewed, we may further cause to be done thereupon, with the assent of the lords spiritual and temporal in the same Parliament, for correcting the error, what of right and according to the law and custom of England ought to be done."

Formerly the Chief of the Court came to the Bar of the House and handed in the record: now that is done by an officer of the Court. The form then proceeds:—

> "Afterwards"—that is to say, after the transcript of the record had reached the House of Lords—"on the day of before our said Lady the Queen and the Peers of this Realm in the present Parliament at Westminster, in the county of Middlesex, assembled, comes the said C. D. by G. H. his attorney, and says that in the record and proceedings aforesaid, and also in giving the judgment aforesaid, there is manifest error, &c., and the said C. D. thereupon prays that the judgment may be reversed, &c."

Then the duty of the defendant is pointed out—

> "Defendant comes, and by his attorney says—'that there is no error either in the record and proceedings aforesaid or in giving the judgment aforesaid, and he prays that the Court of Our Lady the Queen, in her Parliament here, may proceed to examine as well the record and proceedings aforesaid as the matters aforesaid above assigned for error, and that the judgment aforesaid may be in all things affirmed,' &c."

Then what does the House when it comes to a decision—

> "Whereupon all and singular the premises being seen, and by the Court of Parliament then and there fully understood, and as well the record and proceedings aforesaid, and the judgment aforesaid given in form aforesaid, as also the causes and matters aforesaid by the said C. D. as above for error assigned being by the said Court diligently examined, reviewed, and fully understood, and mature deliberation being thereupon had, it seemed to the Court of Parliament now here that there is manifest error in the record and proceedings aforesaid, and in giving and affirming the judgment aforesaid. Therefore it is considered by the said Court of our said Lady the Queen in her Parliament here that the judgment aforesaid in form aforesaid given by the said Court of our said Lady the Queen before the Queen herself at Westminster in form aforesaid for the errors aforesaid and other errors therein being, be reversed, annulled, and altogether holden for nothing, and that the said A. B. &c. be restored to all things which he hath lost by occasion of the said several judgments, and thereupon the record aforesaid remitted from the Court of Parliament aforesaid to the Court of our said Lady the Queen before the Queen herself, to the end that execution may be had thereupon, and the same now remain in the said Court, to wit, at Westminster, in the county of Middlesex."

It will be seen from this form, my Lords, that so far from the old jurisdiction of this House being such as would imply that the House interfered with the action of the Courts of the Sovereign, it is the Sovereign here acting in concert and consultation with this House who reviews the judgments of her Courts, and does away with any error which those Courts may have committed. That is the case as regards Writs of Error. And when was the origin of Writs of Error? My Lords, it is a very ancient jurisdiction. We know that Writs of Error were in use as early as the reign of Edward I., and I believe that we stop there, because there are no records to carry us further back. I believe they are coeval with the *Magnum Concilium* of the Sovereign, and that it was to this Great Council that the Sovereign applied in the last resort for assistance in dealing with the cases presented for his decision. But at what time did the jurisdiction of this House in respect of appeals arise? As compared with the jurisdiction in Writs of Error, it is a thing of yesterday. It was utterly unknown until the middle of the 17th century. Then it was that for the first time appeals were brought here from the Court of Chancery. Your Lordships are aware that the jurisdiction claimed for this House in the case of appeals gave rise to great debate and great controversies. I am not, however, referring to it for that purpose, but for a very different one. It happened that the first time your Lordships' House exercised the jurisdiction of hearing appeals from the Court of Chancery, the appeal brought up was unfortunately not couched in the form of a Writ of Error, but in that of a Petition addressed to your Lordships as the Peers Spiritual and Temporal in Parliament assembled. I believe that was little more than an oversight, but the appeal took the form I have described and has continued it; and it is my opinion that a great deal that has been said against the jurisdiction of this House has been advanced under the objection which fairly lay against this novel hearing of appeals, and is by no manner of means applicable to the early and original jurisdiction of this House and the early and truthful way in which that jurisdiction was exercised. There is an essay of Lord Hale's on this subject, and, though in the early part of it there is a good deal that is technical, very broad views are laid down in this tract. Lord Hale was no enemy to the jurisdiction of this House, but he made various suggestions which are worthy of attention, and there are one or two sentences of his which I should like to quote. He says—

> "All jurisdiction in this realm, whether ecclesiastical or civil, is derived from the Crown; and the exercise thereof in the Ministers or Judges, to whom it is so delegated by the Crown, is in right of the Crown and by virtue of a delegation from it. And it were a thing scarce consistent with the Monarchical Government that those sentences, judgments, or decrees, which are pronounced and given by the King's authority and commission, should be examined by an original jurisdiction lodged in the House of Lords without especial authority given by the King by writ, commission, or endorsement. This were to make the basis of the Government aristocratical, since the last devolution of appeals would be from the King, and the judgments given by his authority unto the Lords. . . . As the decrees are passed by the King's authority, so by the same authority they are avoided, if there be cause; and not by a kind of primitive, superintendent, inherent jurisdiction in the Lords' House, which some may possibly think savours too much of an aristocracy, giving an appeal from the King to the Lords by an inherent right of a *dernier resort*, which seems not agreeable to the constitution of the English Government."

My Lords, I am very anxious to lay before your Lordships fully the distinction which I have endeavoured to explain, and I am so for two reasons. If any alteration in the jurisdiction of this House is made, and if that jurisdiction is continued with regard to appeals, I hold it to be a matter of paramount importance that the true basis of the jurisdiction should be exactly understood and recognized.

My Lords, Her Majesty's Government are about to propose a measure for the improvement of the jurisdiction of this House; and the first alteration they propose is that in all cases in which there are appeals to this House there should be a recognition of this principle—that this House in judicial matters sits here as the adviser of the Sovereign; that it is the Court of Parliament advising the Sovereign. We propose that this shall appear by the form of Petition. We desire that this should be done before any other change is made. It is not a matter of form—it is to my mind a matter of substance. It is all important that it should be done now because, by reason of changes brought about by the Judicature Act, we have put an end to the formality of Error; and therefore those proceedings in Error which before now were a test of jurisdiction in this House, will cease to have any existence.

I shall now state the tribunal before which it is proposed those appeals shall be brought. We propose that there shall be in this House Lords of Appeal; and I will state to your Lordships of whom we propose this body shall be constituted. It will be constituted, in the first place, of those Members of the House of Lords who have filled certain "high judicial offices" in the State—these will include the Lord Chancellor, ex-Lord Chancellors, and others who have filled high judicial offices and have seats in this House. In addition, we propose that there should be appointed in the first instance two other Lords of Appeal in Ordinary, to be selected from persons of high qualifications at the Bar or on the Bench; and that while they hold their office as Lords of Appeal, they shall receive a writ of summons as Barons and shall sit and vote in this House like other Peers. We propose that they shall hold their rank for life, that they should have a salary of £6,000 a-year, which is £1,000 a-year more than the salary of the ordinary Judges, and, as I said, we propose that in the first instance their number should be two. As to continuous sittings, we have to provide for the case of Prorogation and for the case of Dissolution. As to the case of Prorogation, there is no difficulty. In the Bill which passed your Lordships' House in 1856, went to the other House of Parliament, and was there laid aside, there was a clause providing that for the purposes of judicial business this House should sit during Prorogations at any times for such sitting which had been fixed before the Prorogation. We purpose that there should be a similar provision in the Bill which will embody the propositions which I am now submitting to your Lordships. I omitted to state, when speaking of the constitution of the Tribunal by Lords of Appeal, that Her Majesty's Government propose that no case should be heard in this House unless three Lords of Appeal are present. With regard to Dissolutions, there is, of course, the possibility of a Court of Final Appeal being required during that interregnum; but, in point of fact, I doubt whether it ever would be desirable to have an Appellate Court sitting at such a time—which under our present electoral arrangements is usually very short. Experience shows us that the people in this country are so much occupied in other matters at such a time that they are not disposed to prosecute with energy appeals before a Court of Ultimate Jurisdiction. We have, however, a precedent for what could be done. If it should be necessary to assemble the Tribunal at such a time, we have a precedent for the way of doing it in an old statute passed in the reign of Edward III., when the intervals between the dissolution of one Parliament and the summoning of another were much longer than they are now. That is a precedent for enabling the Sovereign to assemble the Lords of Appeal by issuing a Royal Commission, requiring them to meet for the dispatch of judicial business, and to exercise the same powers as if Parliament were sitting; and if so assembled they would have the same powers as at any ordinary sitting of the House. That disposes of the question of continuous sittings.

Now comes the other question—the desirability of obtaining a point of contact, if it can be done, with the Judicial Committee of the Privy Council. Your Lordships are aware that there are at present in that Committee four Members who are called salaried Members of the Judicial Committee. They were constituted by an Act which passed a few years ago, and practically the disposing of appeals rests mainly with these learned persons. My Lords, the Judicial Committee of the Privy Council has before it the appeals which come from the colonies and the dependencies of the Crown: if the proposals of Her Majesty's Government are approved by Parliament, this House, sitting in the way I have described, would have before it the appeals coming from the United Kingdom—that is, the portion of the dominions of the Queen directly under the Parliamentary Government of the Imperial Parliament. Of course it would be very desirable that between those two bodies disposing of judicial business—the one disposing of business coming from within the ambit of the authority of Parliament, and the other of business coming from outside the ambit of that authority—there should be some legal point of contact. In the case of the four salaried Members of the Judicial Committee there can be no fresh appointment under the Act constituting them. If their offices became vacant, no person could be appointed to them without a fresh provision by Parliament. Now, what we propose is this. We do not propose to interfere in any way with those four Members acting on the Judicial Committee; but what we do propose is this—that, when there are two vacancies among those four salaried Members, there should be a power of appointing one other Lord of Appeal in this House; and so likewise, when two other vacancies of salaried Members occur, there should be a power of appointing one more Lord of Appeal—so as to make four salaried Lords of Appeal in this House. The result, therefore, will be that, when the four salaried Members of the Privy Council have come to an end of their office, there will be four Lords of Appeal in ordinary, and we propose that they, being Privy Councillors, should be charged with the duty of sitting in the Privy Council as well as of performing their duties in this House.

I shall now state the amount of business which would have to be discharged by these two Tribunals. Without troubling your Lordships with too many details, I may state, taking an average, that the judicial business which falls to this House in a year and that which falls to the Judicial Committee of the Privy Council in the same period is such as would require the sitting days to be not less than 200 and not more than 300. In fact, the sitting days may be nearer to 200 than 300; 300 days at the most; and that would be sufficient for the discharge of the business of both Tribunals. Let me state to your Lordships that the judicial year may be said to comprise 200 days. Any tribunal which sits during the judicial year is said to sit for 200 days in the year. Therefore, as regards this House and the Judicial Committee you get this state of things—the business to be disposed of is rather more than could be done by one tribunal, and rather less than could be done by two tribunals, sitting throughout the judicial year. Therefore, if you get a tribunal which can sit in two divisions, you will have a tribunal which can easily dispose of the business of both this House and the Privy Council. There will be in this House the Lord Chancellor, and ultimately four Lords of Appeal in ordinary, and they will have the great assistance which I trust we shall long enjoy of the Peers who have filled the post of Lord Chancellor or other high judicial offices, and in the Privy Council there will be always several *ex officio* Members of the Judicial Committee; so that your Lordships will see that with the most perfect facility such a tribunal may dispose of the business both of the House of Lords and of the Judicial Committee of the Privy Council. In cases of such importance as to require the presence of five Lords of Appeal, we can have them; but when three are deemed to be sufficient—and, as a general rule, I think three is the best number for a Court of Appeal—the tribunal may be constituted for hearing by the presence of three Judges. It may be asked why the Government do not propose at once to constitute four Lords of Appeal, and why they only for the present purpose to appoint two. It is for this reason: The Judicial Committee of the Privy Council are doing their work with great care and diligence, and we think it better not to make any change in that Court, until it shall come in the natural course of events. This House possesses in my noble and learned Friends an unusual number of Judges who have held high judicial office and who are qualified to sit in Appeals; and this House is, therefore, in no immediate distress in point of numbers for a larger Court of Final Appeal than I have proposed. But above and before this there is another reason. It is undesirable at any one moment to make a great drain upon the Bar for the supply of new Judges. The Bar is like other professions, and cannot afford to give to the Bench more than a limited number of its highly trained members at any given time. The country gains by taking from time to time such members of the Bar as prove themselves fitted for judicial office; but, unless in case of absolute necessity, a proposal to take either from the Bench or the Bar any great number of their members is to be deprecated.

Let me now say a word upon another point—the question of expense. Some persons have said that this House is a very expensive tribunal. Now, there are three elements of expense connected with the judicial business of this House, and it ought to be distinctly understood what they are. One element is the fees of this House, which must be paid, of course, by the suitors. The second is the cost of printing the records and books which constitute the subject of the appeal. The third is the professional remuneration of the advisers of the parties. Now, with regard to the fees of this House I have made some inquiry, and I find that the fees which have to be paid by the appellant amount to about £20 and by the respondent to about £17. So far as I know of the expenses of other Courts, I have a great suspicion that the expenses of appeals to your Lordships' House will contrast not unfavourably but favourably with any other Court in the country. The printing of the books and records in the case no doubt occasions expense, and if it can be lessened it would be desirable that it should be diminished. But I am bound to say that wherever you may place your Court of Final Appeal it is important that every scrap of paper should be in print in orderly and proper form; for my experience convinces me that very often errors in the decisions of the Courts below have been discovered just as much from the orderly and clear way in which printed papers bring the case before the mind as from any superior knowledge of the law possessed by the higher tribunal.

With regard to the remuneration of the professional advisers, it is impossible for any tribunal to exercise any control over this element of expense. It may be assumed that cases which come before a Court of Final Appeal are always of considerable importance—the parties are naturally anxious to obtain the best professional advice that can be had—it is in the nature of things that the highest class of professional assistance should cost most money; and I am afraid we cannot prevent the parties from indulging themselves in the luxury of such assistance. It is quite true you may lay down some rules by which the unsuccessful party shall not have to pay costs except according to a fixed and regulated tariff of charges for professional assistance. What the Government propose on that head is that, if this scheme is adopted, there should be a Committee of Inquiry of your Lordships' House into this question of expense, in order that it may be brought down to the lowest point to which it can be brought with regard to the nature of the case.

We also propose that, although there is at present an Appeal Committee which meets at certain intervals, and before which matters of practice connected with appeals are brought, a more regular system should be adopted. We propose that an Appeal Committee should be constituted out of the Lords of Appeal, and that they should meet regularly once a week to dispose of all matters of practice now disposed of by the General Appeal Committee.

I have now gone through the proposal of the Government. With regard to the Final Court of Appeal, your Lordships will have observed that our proposals provide one Court of Final Appeal for every part of the United Kingdom. We provide that an adequate number of highly-trained judicial minds shall be present at every appeal—that the sitting of the tribunal should be continuous during the whole of the judicial year—and that the expense of the tribunal should be regulated as far as possible. We also establish a point of contact between the judicial proceedings of this House and of the Judicial Committee of the Privy Council, because in substance they will be the same tribunal, although acting with different forms and dealing with different business.

There are certain further proposals of the Government which relate, not to the Court of Final Appeal, but to the Court of Intermediate Appeal. Last year there was established a new Court of Intermediate Appeal. That Court was constituted of three permanent Judges of Appeal and five *ex officio* Judges, who may sit as time and opportunity serve—namely, the Lord Chancellor, the Chief Justice of the Queen's Bench, the Master of the Rolls, the Chief Justice of the Common Pleas, and the Chief Baron of the Exchequer—making in all eight members. In addition, the Court has the power to ask for the attendance of two of the Primary Judges at any time when they are required: so that you have got nominally 10 names on the roll of that Court. Last year great objections were made to this Intermediate Court of Appeal. It was said it was very weak, and would be the Exchequer Chamber over again. I certainly did not agree with those objections, and I agree still less with them now that we have had experience of the working of the Court. That Court has in it two very excellent elements—one, that you have a nucleus of permanent members who never change, and the other that you have the power of supplementing those members by the addition of two Primary Judges, and such of the Chiefs as the occasion may require. Another advantage is that we are always in this country very much embarrassed about the disposition of judicial time. The great strain upon the Judges is at the time of Circuits, and you want more Judges during that time than at any other period of the year. By the Bill of last year, when the Judges are not going on Circuit you are able to obtain the attendance of two of the Primary Judges in the Intermediate Appeal Court, and in that way their time is utilized to great advantage. I have seen this Court at work; and, so far as I can collect, public opinion is in favour of the working of the Court as constituted by the Act of last year. That is, therefore, a Court which may be continued to act as it has been doing. We do, however, propose with a view to the future to strengthen that Court, and in this way. I have referred to the four salaried Members of the Judicial Committee. We propose that when two of those offices become vacant, and when a Lord of Appeal is appointed, so also an additional member of the Intermediate Court of Appeal may be appointed; and likewise when the remaining two salaried Members of the Judicial Committee shall retire or die, another Member of the Intermediate Court of Appeal may be appointed. The result of that will be that when the whole system comes into operation you will have in this House, besides the Lord Chancellor, four Lords of Appeal in ordinary, bound to discharge the judicial business of this House, and of the Privy Council, and you will have in the Intermediate Court of Appeal five permanent Members of that Court, who, with the very slight additional assistance they will require from the Primary Judges, will be able to discharge the whole of the business of that Court in a manner that will be satisfactory to the country.

There is still one more change, which it will be convenient to mention here. The Judicature Act of 1873 proposed that there should be a reduction in the number of the Primary Judges, and that two of the number of Primary Judges should not be re-appointed. When the Act of last year passed the other House that provision was repealed, and the Primary Judges were restored to their former number. My Lords, looking at the arrears to be disposed of, I think that was a wise thing. But as soon as the propositions I have made have come into operation—as soon as the Intermediate Court of Appeal has been strengthened in the manner I have mentioned—the time will have arrived when, the arrears having been entirely worked off, we shall be able as I hope to dispense with two of the Primary Judges; and the more so because all the new Judges that may be appointed will be bound to go Circuit. I therefore think, that when that period arrives, two of the Primary Judges may be dispensed with. The result of the whole will be that you will then have, for the purposes of Appeal, the four Lords of Appeal in this House and five members of the Intermediate Court of Appeal. I may mention that is exactly the same number—not one more—than was proposed by the Judicature Act of 1873; and yet by the different arrangement of the same materials we shall have secured what I believe your Lordships will think, what certainly I think, an efficient Court of Intermediate as well as of Final Appeal. You will also have the same reduction in the number of Primary Judges. My Lords, I refer to the number of Judges and their reduction, not because I think this country would grudge any expenditure that would really be necessary for the purpose, but because I think it is satisfactory that we should be able to keep these large proposals which I have now made within proper bounds and compass. I think that, while on the one hand a sufficient amount of judicial power is absolutely necessary, any superfluity of judicial power is a positive evil. No judicial body works so efficiently as when fully occupied. This consideration is not only important with regard to the money expended, but with regard to the efficiency of the service itself; and I believe it is above all things important that here in England, as distinguished from other parts of the dominion, we should set an example that we have not provided more judicial force than is required. We have to call on another part of the Empire to submit to a reduction, and certainly we ought to take care that our own staff is not greater than is requisite. I believe that under the proposal I have now made we shall have all we require. I believe we shall have the most efficient Court of Appeal which the country can desire, and I trust, on full consideration, the proposals I have made will have your Lordships' approval.

Bill for amending the Law in respect of the Appellate Jurisdiction of the House of Lords; and for other purposes, *presented* (*The Lord Chancellor*).

Lord SELBORNE: My Lords, my noble and learned Friend has detailed, with his usual clearness, a series of most important proposals which your Lordships will deliberately consider — as I promise to do—with a sincere desire to do the best that can be done for the administration of justice in such a manner as may be final, at all events for many years to come. It would not be fitting or convenient that I should now discuss in detail any of those proposals. We must have the time and opportunity for deliberately considering them—which, no doubt, we shall have before the second reading of the Bill. There are, however, some parts of the speech of my noble and learned Friend on which I think it right to make a very few observations. First of all, with respect to that part which was personal to my noble and learned Friend himself. If there be any one Member of your Lordships' House who is bound to express his assent to the vindication he offered of himself—if, indeed, vindication was necessary from the charge of inconsistency—if such a charge has been made anywhere against my noble and learned Friend—I am certainly bound to express my full and unqualified assent to what my noble and learned Friend has said on that subject. The course he has taken in this matter from first to last is before your Lordships and the country. I am bound always to acknowledge the patriotic and generous way in which my noble and learned Friend supported the proposals I had to make to Parliament in 1873—a course worthy of himself, and the only course I could have expected; because, so far as related to the other subjects of that measure, except what affected your Lordships' House and the Judicial Committee of the Privy Council, he himself had contributed in no small degree in the Judicature Commission to the maturing of the proposals I embodied in that measure. On the subject of the Appellate Jurisdiction of your Lordships' House, I am bound also to say that my noble and learned Friend at that time, being very frank as well as kind in his communications with myself, did not conceal the preference he would have felt for retaining—for certain purposes at all events—an ultimate recourse to your Lordships' House; and if he did not press that view as the measure passed through this House, it was only, I believe, because he did not attribute, in the then state of public feeling on the subject, sufficient importance to it to delay the passing of the measure. My Lords, I heard, with the greatest satisfaction, the testimony borne by my noble and learned Friend to the successful working of that measure during the short period, and that a most trying period of transition, while the Judicature Act has been in operation; and the importance of that testimony will be felt the more when you recollect what were the four great objects which that measure had in view, only one of which really could be adequately tested during the period that has now elapsed. The first object was the economizing of judicial power, and by that the prevention of delay as well as of cost to suitors. That object has been tested, even in the short period which has elapsed; and I think the most sanguine supporters of the measure could hardly have expected a greater degree of success than that, to which my noble and learned Friend has borne his testimony. The other three objects were these—first of all, to unite, under one administration, the whole law of the country—Common Law and Equity—the result of which could only be obtained in the course of time: but I have heard nothing to shake my belief in the probable success—as well as the great importance—of that change. Then there was the simplification of procedure, which stands, to a great extent, on the same ground with the fusion of Law and Equity, sufficient time not having yet elapsed to test its entire success; but I am glad to hear from my noble and learned Friend that as far as experience has yet gone it has given satisfaction; and if satisfactory to him, with his opportunities of knowledge, it is likely, I am sure, to be satisfactory to the country. The fourth object of the Bill which I introduced was undoubtedly a very important one;—the re-constitution of the Appellate Jurisdiction. Undoubtedly, and I still think unfortunately, through the circumstances to which my noble and learned Friend has referred, the scheme of the measure of 1873 has in that respect been displaced. My noble and learned Friend has now proposed another elaborate scheme, as to which, all I can now say is, that, although not at present satisfied that it is equally advantageous with that of 1873, I shall consider it without the slightest personal feeling in the matter, and with every desire to secure the object, which must necessarily be common to myself and to my noble and learned Friend.

Lord DENMAN said, that he considered the legal origin of appeals to the House of Lords to arise from the Act which the Lord Chancellor had quoted, as to the power of sitting in Vacation—namely, 14 Edward III., c. 5—in which delays in Chancery were specially included—Commons, Lords, and the Royal Assent—legalized the appointment of a Committee; (having the statute book before him) he referred to the terms of the Act. He had the same opinion that he held in 1856 as to the unconstitutional nature of the proposed appointments, and being 70 years of age, he could only warn the House against evils which he foresaw, and to the possibility of which, in 1856 and 1873, this House had too readily assented. He would be happy if, before he was gathered to his Fathers, he could see a more constitutional measure adopted than those Acts or the Bill in its present shape.

Bill read 1ª; to be *printed.* (No. 5.)

House adjourned at a quarter to
Seven o'clock, to Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 11*th February*, 1876.

MINUTES.] — SELECT COMMITTEE — Public Accounts, *nominated.*
RESOLUTION IN COMMITTEE—Council of India [Pensions].
PUBLIC BILLS — *Ordered* — *First Reading* — Valuation [59]; Salmon Fisheries* [60]; Criminal Law Evidence Amendment* [61]; United Parishes (Scotland)* [62]; Burglary and Forgery* [63]; Newspaper Registration, &c.* [64]; Oyster Fisheries* [65]; Epping Forest* [66].

CHURCH ENDOWMENTS IN GIBRALTAR.—QUESTION.

MR. DILLWYN asked the Under Secretary of State for the Colonies, Whether the consent of the Crown has been given to an Ordinance constituting Church bodies for the Anglican and Roman Catholic communities at Gibraltar, with the object of vesting in such bodies annual grants of money?

MR. J. LOWTHER: An Ordinance, Sir, has been drawn up with the object of continuing to the Church of England and Roman Catholic Church Bodies at Gibraltar, in the form of an annual fixed payment, the sums hitherto paid to individual clergymen and priests. This Ordinance has not, as yet, I believe, been enacted by the local Government, and has therefore not received the Royal Assent.

EGYPT—MISSION OF MR. CAVE—THE PURCHASE OF THE SUEZ CANAL SHARES.—QUESTIONS.

THE MARQUESS OF HARTINGTON asked Mr. Chancellor of the Exchequer (in the absence of the Prime Minister), Whether he will lay upon the Table of the House the Instructions to Mr. Cave in regard to his mission to Egypt, and any Correspondence between Her Majesty's Government and the Government of the Khedive on the subject of that mission? Perhaps, the right hon. Gentleman will allow me to put another Question on the same subject to him which he may possibly be able to answer. He will, I suppose, have a very important statement to make on Monday next respecting the financial bearings of the purchase by Her Majesty's Government of the interest possessed by the Khedive in the shares of the Suez Canal; and I therefore wish to ask him, Whether it is the intention of the Government to ask the House on Monday evening to proceed to take the Vote which he will lay upon the Table of the House; or, whether the Government will, in accordance with what I conceive to be the convenience of hon. Members, as well as with our ordinary practice, give the House another opportunity of considering the statement which the right hon. Gentleman will have to make?

THE CHANCELLOR OF THE EXCHEQUER: As to the first Question, Sir, of the noble Lord, the mission of Mr. Cave is not yet completed; but there will be no objection to lay upon the Table of the House the Correspondence between the Government and the Khedive which led to the appointment of that mission and the instructions to Mr. Cave. Those Papers shall be printed in the course of this evening, and will, I hope, be in the hands of hon. Members before the discussion comes on on this subject on Monday night. In reply to the noble Lord's second Question, I may say that, as he did not give me Notice of it, I have not had an opportunity of consulting the right hon. Gentleman at the head of the Government in reference to it; but I am quite sure that there will be every disposition on the part of the Government to consult what may appear to be the wishes of the House on this matter. With reference to the Question which was put to me last night without Notice by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), I may take this opportunity of stating that the Papers of which he spoke, relating to the Concessions of the Company and to the Firmans by which those Concessions were granted, will be prepared and laid before the House, although I am afraid that it will take some time before that can be done. For the convenience of hon. Members who wish to know the nature of those Concessions, I may state that they are all contained in Volumes 55 and 56 of *Hertslet's State Papers,* which are in the Library. They will, however, be separately printed for the convenience of the House.

THE MARQUESS OF HARTINGTON: I wish to explain, Sir, that although I did not give the right hon. Gentleman Notice of my intention to put a Question to him on this subject this evening, I had reason to believe that my right hon. Friend the Member for Kinross (Mr. Adam) had asked the Secretary to the Treasury privately yesterday whether it was the intention of the Government to ask the House to take the Vote in question on Monday. I thought, therefore, that the matter had been brought under the notice of the right hon. Gentleman.

THE CHANCELLOR OF THE EXCHEQUER: It was not mentioned to me.

POST OFFICE—MAIL ROUTES IN IRELAND.—QUESTION.

CAPTAIN NOLAN asked the Postmaster General, If he has any objection to lay upon the Table of the House, Copy of a map showing the routes by which mails are carried in Ireland to and from the different post-offices; and also showing in each case where the mails are forwarded by railway, car, or foot messenger?

LORD JOHN MANNERS, in reply, said, a corrected Map of the kind referred to would be ready in about a month, and he should be happy to send a copy of it to the hon. and gallant Member, who would perhaps confer with him afterwards as to laying a copy of it on the Table of the House.

ELEMENTARY EDUCATION ACT, 1870—COMPULSORY ATTENDANCE—CASE OF GEORGE BEAVIS.—QUESTIONS.

MR. BOORD asked the Vice President of the Committee of Council on Education, Whether his attention has been directed to a letter which appeared in "The Kentish Mercury" of the 22nd January, and was reprinted in "The Times" of the 3rd February 1876, signed "George Beavis," in which the writer complained of having been fined two shillings with one shilling costs for neglecting to send his child, a girl seven years of age, to school, under the following circumstances: (1.) She had ringworm; (2.) Two of her brothers or sisters had whooping cough; (3.) Three children of lodgers in the same house had measles; and whether the terms of the Education Act are enforced so as to encourage the neglect of proper precautions against the spreading of infectious diseases?

VISCOUNT SANDON: My attention, Sir, has been directed to the statement in *The Times,* signed "George Beavis," as it is directed, I need hardly say, to all similar statements. I have no means of ascertaining whether such statements are correct, and I have no authority whatever to interfere with school boards in the administration of their compulsory bye-laws, or with the magistrates in their adjudication upon the cases arising under them. I am sure, therefore, my hon. Friend will understand that I cannot express any opinion on the case to which his Question refers. As far as my information goes, I believe that the terms of the Education Act are not generally enforced so as to encourage the neglect of proper precautions against the spreading of infectious disease; if any cases of such neglect should occur, I trust the sanitary authorities will at once interfere to prevent such a perversion of the Act.

MR. BOORD asked the Secretary of State for the Home Department, Whether he is aware that George Beavis, the person referred to in the preceding Questions, who was convicted of a misdemeanor under the Education Act at Clerkenwell Police Court on the 10th November 1875, was refused the means of communicating with his friends, compelled to wear the prison dress and have his hair cut on arrival at Coldbath Fields Prison, and in all respects treated as a felon; and, whether any compensation will be offered to him for having suffered such indignities, and if he will take steps to prevent their recurrence?

MR. ASSHETON CROSS: I believe that the facts of this case are accurately stated in the hon. Member's Question with one exception—that is to say, that the prisoner was not refused the means of communicating with his friends. It appears that it is not the practice of the police court to keep messengers to take messages for persons who may be committed, but the police are always ready to forward any communication which prisoners may desire to send to their friends by any of the policemen who may happen to be about the office. In the present case it unfortunately happened that the prisoner was brought up late in the evening, when no one was available for taking his message to his friends. I am bound to say that I deeply regret the circumstances of this case. I know that what was done was done according to strict law; but I am quite sure that the House will agree with me in saying that if this is law it is not equity. I may state that it is the intention of the Government to bring in a Bill this Session for the purpose of relieving persons under such circumstances from being subject to treatment of this character.

Mr. BOORD reminded the right hon. Gentleman that he had not stated whether it was the intention of the Government to give Beavis any compensation for the treatment he had received.

Mr. ASSHETON CROSS: We cannot give compensation merely because the magistrates have enforced the law.

THE SUEZ CANAL COMPANY—THE STATUTES AND BYE-LAWS.

QUESTION.

Lord ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether, in addition to the Concession and Statutes of the Suez Canal Company, which he promised yesterday, he will lay upon the Table the "By-laws of the Company and the resolutions adopted by general meetings of the shareholders," to which the possession of shares obliges the English nation to adhere?

The CHANCELLOR of the EXCHEQUER, in reply, said, he was unable at so short a Notice to tell the noble Lord whether he should be able to comply with the request contained in his Question, but he would make inquiry into the subject.

THE FUGITIVE SLAVE CIRCULARS.

QUESTION.

Mr. WHITBREAD asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government will be prepared to lay upon the Table Papers relating to the Fugitive Slave Circulars beyond those referred to in the Return yesterday, especially any correspondence and despatches which might throw any light upon the reception and treatment of fugitive slaves? He also begged to remind the hon. Member that the First Circular was not included among the Papers referred to.

Mr. BOURKE, in reply, said, that all Papers relating to the subject had been in course of preparation for some time, with the view of their being placed before the Royal Commission. Since the Notice of the Question of the hon. Gentleman had been given, orders had been issued by the Department that the Papers should be prepared as early as possible, in order that they might be placed in the hands of hon. Members before the Motion of the hon. Gentleman came on for discussion. Of course, the First Circular would be printed with the other Papers.

THE QUEEN'S SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS.

The COMPTROLLER of the HOUSEHOLD (Lord Henry Somerset) *reported* Her Majesty's Answer to the Address, as followeth:—

"I have received with much satisfaction your loyal and dutiful Address.

"You may rely on My hearty co-operation in all measures best calculated to promote the happiness and contentment of My People."

SUPPLY.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

EAST INDIA (CHRISTIANITY).

ADDRESS FOR PAPERS.

Mr. O'REILLY, in moving for an Address for certain Papers relating to the position of Roman Catholic chaplains in India, and the numbers of Christians of all denominations, expressed his surprise that his Motion should not have been allowed to take the form of one for an unopposed Return. As early as the year 1833 a solemn pledge was given that Her Majesty's Christian subjects of all denominations in India should be placed upon a footing of perfect equality. Up to the present date that pledge had not been redeemed, a circumstance, which, he thought, was hardly creditable to those in power. For many years the Roman Catholic soldiers in Her Majesty's Army in India were without a chaplain of their own religion to minister to them, and although lately something had been done in the matter the state of affairs was still very unsatisfactory. As an instance of the injustice that was committed he might mention that while the Roman Catholic chaplains were paid only at the rate of 100 rupees a-month, rising gradually to 300, the Anglican chaplains were paid at the rate of 500, rising to 800. Surely that alone was a crying injustice and inequality. Further than that, there was not a sufficient number appointed. Nor could ignorance be pleaded for such a state of things. Complaints had been repeatedly made to the Indian Government with reference to the great inequality of these payments, but without any result. The subject had been fully considered by the Indian Government, all the correspondence relating to it had been concluded, and the country had a right to have a copy of the correspondence in order that it might be able to judge whether the Indian Government was justified in making no alteration with reference to these salaries. He asked for the Returns on this subject nearly nine months ago, and he wished to know why they had not been given? He wanted to see from these Papers why justice had not been done in that matter, and whether, even if to do justice it should be necessary to cut down existing establishments, it might not be proper to consider that alternative. Those Papers, though they were State, and therefore public property, had been withheld. The matter had been before the Indian Government since 1870, and it was high time that the Papers, which would enable the public to judge of the matter, should be produced. What, in short, had been the course of proceeding on the part of the Indian Government in this matter? In 1870 the whole question was brought under their notice by Lord Mayo and nothiug was done. In 1872, he, himself (Mr. O'Reilly) brought the subject under their notice in a letter addressed to the then Secretary of State, the Duke of Argyll, who was confident that there would be no undue delay in ascertaining the views of the Indian Government. In August, 1872, the Indian Government said that they would reserve their opinion, until they could go into the whole matter. In August of the following year he (Mr. O'Reilly) made applications on the subject again, but still nothing was done. Again and again the Indian Government were applied to, but they did nothing. They did, he believe, decide, but they decided to do nothing, and did not choose to announce that decision, and finally, last year, he gave Notice of his intention to ask for the Papers. The India Office undertook to write out to India and ask the Indian authorities to send those Papers to this country. On the first day of the Session he made further inquiry, but got no answer until that day, when he received a courteous communication from the noble Lord the Under Secretary of State for India (Lord George Hamilton) saying that there had been some delay, which he could not account for, in hearing from India. He must now ask the House to insist on an answer from the Indian Government with respect to those Papers, of which he believed there was not one that could not be produced. The first paper for which he asked was the Circular Letter of the Governer General in Council to Local Governments, dated 14th August. and the 2nd November, 1872, calling for Returns of numbers of Christians in congregations, salaries of ministers to same, &c., and Returns to the same by Local Governments. A very distinguished Member of the Indian Council promised to take up this question, but yet we were without the required information. A local Indian paper quoted from a Memorandum of Lord Mayo on the subject of Roman Catholic chaplains this remarkable expression—"The present state of things is anomalous and difficult to defend." He (Mr. O'Reilly) asked for that Memorandum of Lord Mayo, dated 2nd December, 1870. He also asked for the despatch of the Governor General in Council to the Secretary of State, dated 21st December, 1870; and for the Minutes by Members of Council on the question of the position of the Roman

Catholic clergy in India, dated 15th and 22nd of June, 1872. He (Mr. O'Reilly) supposed the terms of that despatch to be to the following effect—"The question of the reduction of the number of ecclesiastical chaplains in India is now receiving our earnest attention, and we hope to be soon able to lay before you our views on this subject." The next Paper he asked for was Minutes by Members of Council on the same subject, dated 16th December, 1873, and 10th March, 1874. He wanted to know the opinion of the Indian Government on this subject. Suppose they held the "levelling down" principle, and that the reduction of the Anglican establishment in India was the right course, and that another form or religious instruction should be substituted, ought we not to know the reasons? He also asked for the Memorial of the Most Rev. Dr. Stein, delivered to the Government of India on this subject, and some letters of his own addressed to the Indian Government. The Indian Government did not choose to answer, and that was the reason for their silence. Let it be supposed that the answer of the Indian Government was practically this—"We will say nothing at all, until directed by the Secretary of State. If levelling down is then suggested from England, we can think of it afterwards." That, he feared, was the real explanation of the Indian Government with regard to the judicious silence which they had maintained from year to year; and the answer of the House of Commons to that ought to be given by a note calling for the production of the Papers.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of—

"1. Circular Letter of Governor General in Council to Local Governments, dated the 14th day of August and the 2nd day of November 1872, calling for Returns of numbers of Christians in congregations, salaries of ministers to same, &c., and of Returns to the same by Local Governments;

"2. Memorandum by Lord Mayo, dated the 2nd day of December 1870, on position of Roman Catholic Chaplains in India;

"3. Despatch of Governor General in Council to the Secretary of State, dated the 21st day of December 1870;

"4. Minutes by Members of Council on the question of the position of the Roman Catholic Clergy in India, dated the 15th and the 22nd days of June 1872;

"5. Despatch of Governor General in Council to the Secretary of State, dated Simla, the 19th day of August 1872;

"6. Minutes by Members of Council on same subject, dated the 16th day of December 1873 and the 10th day of March 1874;

"7. Same by same, dated the 2nd and the 22nd days of July 1874;

"8. Memorial of Most Rev. Dr. Stein's delivered to Government of India;

"9. Minutes by Members of Council on Dr. Stein's Memorial dated the 19th day of October and the 9th day of November 1874;

"10. Letter and Memorandum addressed to the Secretary of State by M. O'Reilly, Esq., M.P., dated the 28th day of October 1875;

"11. And, any further Correspondence on same subject between Secretary of State and Government of India or M. O'Reilly,"—(*Mr. O'Reilly*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD GEORGE HAMILTON said, he would at once admit that the hon. Member for Longford (Mr. O'Reilly) had pressed the question of the position of Roman Catholic chaplains on the India Office with great consideration. The remarks of the hon. Member naturally divided themselves into two parts—first, the grievance under which the Roman Catholic chaplains were said to labour, and secondly, the reasons which could be adduced for the production of the Papers. When the present Ministry was formed they found that a despatch as to those Papers had been sent out to the Indian Government in 1872, to which no answer had been received, and Lord Salisbury had twice since then addressed the Indian Government on the matter. Last year, when the hon. Gentleman moved for those Papers, he (Lord George Hamilton) told him that, though some of them were at the India Office, there were others which he had never seen, and therefore it would be impossible for him, as the Representative of a public Department, to promise their production. The Papers which the hon. Member moved for from the Government of India were Memorandum Minutes, which were often of a private character, and could not be produced; and he had said last year, that before he could consent to the production of those Papers he must communicate with the Government of India. The India Office pressed the Government of India very shortly after last Session, and expected a reply. About six weeks ago they received a despatch from the Government of India asking them to send an enclosure which appeared to have been omitted from the despatch. That was sent on the 15th of January, and he felt when the hon. Member placed his Notice on the Paper that it was due to him to telegraph to India for a reply as to which Papers might be presented. In answer, he had that day received a telegram to the effect that the Papers would be forwarded without further delay. There was not the least wish on his own part, or on the part of the Secretary of State, to keep back these Papers; but he could not pledge himself to produce them until he had seen them, which he hoped very soon to be able to do. There was one portion of the telegram from the Indian Government which would be satisfactory to the hon. Member who had moved for these Papers. The hon. Member had said that the pay of the Roman Catholic chaplains rose to 300 rupees, whereas it only rose to 200. He (Lord George Hamilton) did not seek to deny that there were a great discrepancy between the position of the Roman Catholic chaplains and the Anglican chaplains. But it was to be borne in mind that the Roman Catholic chaplains in India stood on a different footing from the Established Church and Presbyterian chaplains. In this matter, in fact, the Indian Government might be said to pay by results. [*Laughter.*] That perhaps might not be a very reverent term, but he had not intended to use it irreverently. The hon. Gentleman declared that the position and status of the Roman Catholic chaplains was not what could be wished, but it ought to be remembered that many of them were not English, and could not even speak English; and the work they performed for the troops and white subjects of Her Majesty was not their only work, for they also acted as missionaries. The Duke of Argyll had pointed out the broad distinction between the position of the clergy of the Churches of England and Scotland and that of the priests of the Church of Rome in India; the former being bound to obey the orders of Government, and the latter only the orders of their spiritual superiors. That explained the great disparity which doubtless existed between the salaries of the chaplains of the Established Church and those of the Roman Catholic chaplains. With regard to the telegram, the portion to which he had just referred stated that the Indian Government had determined to increase the allowances of the Roman Catholic chaplains. Their number at present was about 76, and they received payments varying from 100 to 200 rupees per month. It was now proposed that 20 of not less than 15 years' service should receive 300 rupees a-month, and that 24 of not less than seven years' service should have 250 rupees, and that the remaining 32 should get 200 rupees per month; while it was further suggested that they should receive in addition a service allowance of 30 rupees per month. It was evident, therefore, that the position of the chaplains would be very considerably improved, the *mimimum* allowance under the scale about to be adopted being the *maximum* at present. With regard to the Papers, he could assure the hon. Member for Longford that as soon as the despatch of the Indian Government was received, and if there was no objection, they would at once be produced. The hon. Member might meanwhile move for a Return of the Papers that were already in the hands of the Government, and to the production of which there was no objection, and wait for the reply of the Indian Government with respect to the others.

Captain NOLAN said, that as to the production of the Papers, he could not congratulate the Government on the rapidity of their communications, seeing that it took them six years to obtain as much information as private enterprize in the public Press could obtain in a few hours. With regard to the proposed increase of the allowances of the Roman Catholic chaplains in India, it would only raise their pay about one-third of what the Established Church and Presbyterian chaplains were getting. The first class might have a little more, but the second and third classes would still have less pay than subalterns had, and it could hardly be said that that was a fair position for these chaplains to occupy. Nor was it quite fair to say that they were not in the service of the Government, and that they obeyed only the orders of the heads of their Church. He was aware, from personal observation, of the services which they performed in the Army, and knew of instances in which their chaplains had applied to the commanding officer for permission to hold Bible services. It was true that they would not obey the Commander-in-Chief on a question of doctrine or sacrament; but he should like to see the Commander-in-Chief interfering in that respect either with Established Church or Presbyterian chaplains. As to some of them not being natives of England, some of the soldiers complained of the want of chaplains from other countries who could speak the language of those countries. If the Government would agree to pay them at the same rate, or at nearly the same rate, as the ministers of the Established Church or Presbyterian Church, while they were servants of the Crown, they would accept that compromise.

SIR GEORGE CAMPBELL said, he would bear testimony to the excellent service of the Roman Catholic chaplains in India, and to their readiness on all occasions to go where their services were required in the face of danger and death. No doubt they were formerly very poorly paid and lived poorly. Their position, however, had been improved, and it was to be improved still further, and he was not in favour of placing chaplains of any persuasion in India too much in the position of highly-paid clergymen at home. They often did better in the position of independent ministers. He favoured a levelling down policy of reducing the number of very highly-paid chaplains entirely at the service of the Crown, and trusting more to the many zealous ministers of different denominations in India.

MR. O'REILLY said, he would accept the suggestion of the noble Lord, and withdraw his Motion.

Amendment and Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

COUNCIL OF INDIA (PENSIONS).

RESOLUTION.

Council of India [Pensions] *considered* in Committee.

(In the Committee.)

LORD GEORGE HAMILTON, in rising to move a Resolution in reference to the Council of India (Pensions) on which to found a Bill for the purpose of enabling the Secretary of State to appoint certain professional men—not exceeding three—as his advisers, said, it had for its object the removal of an inconvenience resulting from the mode of appointing Members of the Council. Under the Act of 1858 Members were appointed to the Council of India for life, and were entitled to a pension of £500 a-year after 10 years' service. It was, however, afterwards found desirable to limit the appointments to 10 years. But it was absolutely essential that the Secretary of State should have upon that Council certain professional advisers, and the inducement at present was not sufficient to attract eminent lawyers. The proposed Bill would give the Secretary of State power to appoint Members of the Council who would have the same privileges as they would have had under the original Act of 1858; but the tenure of office would not last more than 15 years, and the number so appointed could not exceed three. He did not consider this an extravagant proposal.

GENERAL SIR GEORGE BALFOUR said, he was glad to find that the Bill differed from the proposal made last Session. It omitted the section which provided for superannuation to the Auditor of Indian Accounts, who was now understood to have had his rights to superannuation recognized prior to his transfer from the Home Civil Service to the India Office. But it was only right that the portion of service spent in the Home branch should bear the share of the superannuation which might be awarded on the completion of his duties as Auditor. The charges for pensions to officers and soldiers of the Army were graduated in ratio to the years and days served in India and in the direct service of the Crown. It was, therefore, only fair to India that the superannuation, when granted to the gentleman appointed Auditor, should, on the same principle, be divided between Imperial and Indian Revenues in proportion to the years respectively served under the two Governments. This new Bill was, however, of great importance, for it made a great change in the conditions on which appointments were to be made to the Council of India. Under the Act of 1858 no one could be appointed to the Council who had not served in India for some years, and the Act of 1869 continued that condition. The present Bill, however, provided for three Members being appointed to the Council, without the condition of India service. Such a change as that ought not to be made without the fullest information being laid before Parliament as to the causes which had led to the change. Looking, also, to the exclusive way in which offices in the Imperial Service were restricted to those who had actually belonged to that Service, it did appear a most unusual course to pass laws by which those who had spent their life in the service of India should have the few openings for service at Home diminished in favour of those who had no claims and might have no motives for protecting the interests of India. This change also provided for pensions being granted to these three Councillors, and if report could be relied on, the learned and talented gentleman who was now on the Council was likely to benefit by this new law; and what was most objectionable, the law was to have retrospective effect, so as to cover his service in the Council, notwithstanding the intentions of the Legislature, which, under the Act of 1869, were understood to have excluded all new Councillors from the right to pensions. On these grounds he felt it his duty to oppose the Bill.

Motion *agreed to.*

Resolved, That it is expedient to authorize the payment, out of the Revenues of India, of any Pension that may be granted to any Member of the Council of India.

Resolution to be reported upon *Monday* next.

VALUATION OF PROPERTY BILL.

LEAVE. FIRST READING.

Mr. SCLATER-BOOTH, in moving for leave to introduce a Bill to consolidate and amend the Laws relating to the Valuation of Property for the purposes of Rates and Taxes, said, during the Recess, at many of the meetings which had been held, expectations were held out that, at the commencement of this Session, the Government would be prepared to lay upon the Table what was called a comprehensive measure of reform as regarded local taxation and local government. Without pausing to inquire what was the exact meaning of the somewhat ambiguous phrase "a comprehensive measure," he might take that opportunity to repeat the few observations which he made last year on a similar occasion. He yielded to no man in his sense of the pressing importance and growing interest of questions of this kind, and the hold they had taken on the public mind. He had had the subject under his careful attention the whole time he was in office, and he had lost no opportunity of bringing the questions involved under the notice of the Government. He did not, however, think it was reasonable to expect that anything like what could be called a comprehensive measure on this question could be expected from that or any other Government at present, considering the crowded condition of the Business of the House. It seemed to him much more practical and satisfactory to proceed by degrees to improve and simplify the system to which he was alluding, and he hoped in the course of the present Session to have several opportunities of making substantial progress in that direction. They all knew that important alterations were required in regard to the collection, the assessment, and the administration of local rates, and all admitted the necessity of bringing together the present scattered and sometimes conflicting areas of local administration. But he must point out that at the foundation of all these questions lay the necessity of simplifying the law as regarded the valuation of property for rating and taxing purposes, and he did not stand alone in his opinion that a Valuation Bill was an essential preliminary to all other improvements. When this question was discussed at considerable length in the newspapers, he was struck by a letter which appeared in *The Times*, written by Sir Edward Kerrison, formerly a Member of that House, and possessing the confidence of, and accepted as a representative man among, landlords and tenants. What did he say? He said—

> "I venture again to call attention, through your columns, to the undoubted fact that no satisfactory solution of this great question can be reached until all rates and taxes are levied on one basis. Even if a subsidy be given by Parliament in relief of local taxation, it cannot be fairly distributed while the rateable value of the same property in different Unions varies from 10 to 40 per cent.

Successive Governments during the last 10 years had entertained that view, and there was not a time at which during that period a Valuation Bill might not have been found in the pigeon holes of the public offices. So long ago as 1867 a measure was brought forward by his right hon. Friend the present First Lord of the Admiralty proposing to unite for purposes of valuation the functions of the surveyor of taxes with those of overseers of parishes and assessment committees; but it was afterwards withdrawn for want of time. In 1869 his right hon. Friend the Member for the City of London (Mr. Goschen) was successful in carrying through a most excellent measure of reform in this respect, applicable only, however, to the metropolis. That Act had now been in operation for seven years, and two valuations of the metropolis had taken place in accordance with its provisions. The Act was so comprehensive and complete in its character that the right hon. Gentleman the Member for Halifax (Mr. Stansfeld), when he proposed a Bill on the subject, stated by way of Preamble the expediency of extending to the whole Kingdom the provisions of that measure. Last year the Bill which he (Mr. Sclater-Booth) now proposed to lay on the Table was in a forward state of preparation, and might have been introduced had an opportunity offered for its consideration. Not only had the public Departments, public officers, and members of various Governments shown their appreciation of the necessity of this measure, but while he had been in office he had received communications from different parts of the country, and various public authorities, as well as private individuals, all illustrating the fact that there was now in the public mind a general conviction of the necessity of proceeding in this matter. He had an elaborate statement from a gentleman in Norfolk, complaining that in 22 Unions of that county no two bodies adopted the same principle of deduction in arriving at the rateable value, and he had also a complaint from a gentleman in Devonshire, who mentioned that there had been no fresh valuation of his parish for 40 years. He had heard from other quarters, too, a general desire expressed that reforms should be made with a view to coming at a more accurate and just valuation. Two days ago he received letters from chairmen of important local boards in Lancashire, expressing an opinion as to the great difficulty of arriving at the real value of property for the purposes of local rates. Again, within the last few days, he had met a deputation of gentlemen, representing ratepayers of Swindon, where the growth of property had been great, and they informed him that, in consequence of the impossibility of exercising any control over the operations of the assessment committee, there was a belief that equal justice was not dealt out to different ratepayers of that town. He need not remind the House that there was in every parish in the Kingdom a rankling sense of injustice on the part of at least one important ratepayer — namely, the clergyman in receipt of the tithe rent-charge. Although he did not see his way to giving all that relief which many hon. Gentlemen would desire, he thought that, if only with the view of doing justice to the clergy, some means should be adopted in order to insure that all the ratepayers were assessed equally and more in accordance with the real value of the property. The clergy had associated themselves together for the purpose of getting some redress on frequent occasions; but he believed that those who were wisely advised did not desire, beyond one small matter, that any special provision should be made for them, merely wishing that fair measure should be dealt out to all classes of the community. When he came to the question of county rating, he must confess there was no uniformity whatever with regard to securing that the payment made should be uniformly assessed. In some counties great expense had been gone to in special valuation which might well have been avoided had this Bill been in existence. In the county to which he had the honour to belong, by constant attention to the subject, the county rate had been well kept up to the mark; but, on the other hand, he had heard a statement recently with regard to Gloucestershire to the effect that in many cases the assessment remained much as it was 10 or 20 years ago. He had not taken the trouble of going into the cases of the other counties, but he was sure that they would show a like state of circumstances. Now, in order to cure those inequalities which were complained of, not only by experts, but also by the public at large, it was proposed now, as it was before, and as was already the law in the metropolis, that a Government officer—namely, the surveyor of taxes—should be a party to the preparation of the valuation lists. The exact mode in which his functions were to be brought into play was rather different from what had been proposed on previous occasions. He was to be associated with the overseers in the necessary preliminaries to the preparations of the lists, and was also to be an authority in fixing the amount at which the gross value was to be returned. This, it might be said, was but a small change to give occasion for a Bill of upwards of 100 clauses; but the real fact was, that there was no need of any great changes, provided only they could insert into the machinery that was provided the influence of the surveyor of taxes. The Union Assessment Committee Act was, and had been, an exceedingly good measure, and might be and was in many parts of the country worked with great assiduity and success. It would be remembered by hon. Gentlemen who had gone into the subject at length that Mr. Poulett Scrope—a high authority on these subjects—originally drew his Bill so as to secure that individual ratepayers in a parish should be rated equally, and the object of the Union Assessment Committee Act was that that principle should apply to Unions. The object of the present measure was not only to secure more uniform action amongst assessment committees for that particular object for which they existed, but to secure that the contribution of Unions to county rates should be also fairly assessed; and it would be of immense advantage that the assessment for the property and income tax and the local assessment should be made at the same time, both as giving additional security to the ratepayer, and conducing to the success of the valuation, and also reducing the number of inquisitorial demands made on the ratepayers as to their property and the value of the hereditaments they possessed. As he had stated, the Union Assessment Act was remarkably well worked in some parts of the country, and there would be no occasion to interfere with it if it were equally well worked in all. As an illustration, he would mention that he had been informed by an authority he could not doubt that one of the largest properties mentioned in the Return upon the Table of the House—one of the largest estates in the Kingdom—was given so accurately, both as to acreage and value, that the gross value taken from the rate-book, between £70,000 and £80,000 a-year, was within a fraction of the sum received by the owner of the estate; and that fact was due to the strict carrying out of the provisions of the Union Assessment Act. It might also be mentioned as evidence in favour of the Act that the deductions made in order to ascertain the annual value averaged 15 per cent over the whole Kingdom. The variations were, however, considerable, as between purely agricultural districts and districts near to great towns, the latter having the advantage of the former. Thus, in Northumberland and Huntingdon the average was 9 per cent; whereas in Surrey and Kent it was 19 per cent. The Bill he asked leave to introduce was in a great degree a consolidation of the Metropolitan Valuation Act of 1869 and the Union Assessment Committee Act. The provisions of the former Act had been slightly varied in some unimportant particulars, and there were some improvements in the mode in which the surveyor of taxes was instructed to proceed. He was to be associated with the overseer from the first, before the preparation of the list; and during the early part of the year that which had proved to be a great difficulty in the assessing of the gross valuation would be got rid of. The appeals under the Bill were, in the first instance, to a special sessions, and ultimately to the quarter sessions. The special sessions would for the most part decide cases in which individual ratepayers were interested; the quarter sessions those in which Union complained against Union or county against Union. There were provisions in the Bill for securing the rights of ratepayers in the event of notices not being properly given to them, so as to secure that they should not be ousted from any redress they might be entitled to. An important alteration was proposed with regard to the periods of valuation by extending them to every seven instead of every five years, as now in the metropolis, and he felt satisfied that any slight loss that might arise to the revenue by delaying the valuation would be more than compensated to the Government by the increased accuracy of the valuations then made, and the increased attention that would be given to the annual supplementary and provisional valuation lists, and the result would be that the same term would hereafter apply to the valuation for the property and income tax. It would be a very great change in favour of the taxpayer and ratepayer that a very unpleasant process would require to be gone through only once in seven years. It was proposed that the assessment of tithe rent-charge should also be made once in seven years, and not be varied from year to year as it now was, and a statutory enactment would be placed in the Bill that for the purposes of valuation, where the circumstances of the parish required it, the salary of the curate should be deducted from the income of the rector. Taking into consideration the satisfactory manner in which the Metropolis Valuation Act had worked, he though there would be no objection on the part of the local authorities to be associated with a public officer in this particular work, or that there need be any apprehension that the valuation would thereby be pushed up unduly, and to any unreasonable extent. That was not the intention of the Government, as was shown by the proposal substituting seven for five years. He would go further, and say that as far as he was informed—and he had taken great pains to inform himself—the association of the surveyor with the local authority in the metropolis had been a successful experiment. It was quite true that during the summer of last year the newspapers were full of remonstrances from individual ratepayers who conceived themselves to be surcharged beyond what was reasonable. He had no doubt that in many cases those remonstrances had been well founded; but he had the best reason for thinking that the supervision of the surveyor of taxes in the valuation which had gone on during the last year had been quite as much of a mediatory character as the reverse; and he could quote instances to show that such was the case. The process, therefore, would not, he thought, justify the views of those who might be alarmed at the change proposed. On the contrary, it would, he believed, be found to be rather of a soothing than of an irritating character. The intervention of the Government in matters of valuation in Ireland, he would remind the House, had been the rule for local and Imperial purposes. In Scotland, that was not quite the case, but very nearly, the Government valuation being, to a great degree, the valuation for local purposes in that country. Although he listened with some sympathy to those who objected to a Government officer participating in this local work, yet they should remember that the circumstances had very much changed since the question was last before the House. The Government was now by far the largest ratepayer in the country. Subventions were made by the Government in aid of local rating in every Union and county, and it was the bounden duty of the Government to see that the valuation of properties was effectually and fairly carried out, and it was the duty of Parliament to see that the Goverment did not pay subventions which were not in aid of charges rightly and strictly levied upon all the ratepayers of the country. He should ask the House to read his Bill for the first time on the following grounds:—firstly, because it was absurd that the same property should be valued three times by three different authorities for the purposes of taxation; secondly, because it was unjust that the basis of the common contributions to the county funds should be based upon widely differing scales of deduction; thirdly, because the principle of the central Government acting in matters of assessment and valuation had already been adopted with satisfactory results in the metropolis as well as in Scotland and Ireland; and lastly, because the Bill embodied an improvement of the law which might pave the way to very important changes in the local administration of the country. He could foresee the time when it might be expedient to do for the counties what had already been done for the metropolis—namely, to spread over wider areas than at present the incidence of some items of local taxation, and so to reduce and mitigate the burden which at present pressed most grievously upon the poorer class of taxpayers. That that could be done without breaking up the integrity and independence of local administration had been shown by the experience of the metropolitan system during the last 10 years. Whether a time would come when his right hon. Friend the Chancellor of the Exchequer would be able to make use of the means proposed in the Bill for the purpose of assessing the property tax upon rateable value he did not know; but if the rateable value column could be made use of for that purpose there would be much greater satisfaction in the payment of the tax, and the Government would be relieved from much anxiety, trouble, and expense, as well as from the animosity of the taxpayers, arising from a sense of injustice under which they now supposed themselves to suffer in being assessed for the property tax upon their gross receipts. Beyond that, the convenience resulting from having but one Valuation Act for the metropolis and the whole of the country would undoubtedly prove a great advantage in the end. He hoped the House would be so forbearing as not to rip up the provisions of a law which had already worked well, or to occupy time in discussing clauses in the present Bill which really contained no new matter. The proposals of amendment were trifling in point of extent, if not in point of meaning and intention, and he therefore hoped the House would see its way to dealing with the measure in the shortest amount of time consistent with a due consideration of the important points involved. The right hon. Gentleman concluded by formally moving for leave to introduce his Bill.

Mr. J. R. YORKE said, that the statement of the right hon. Gentleman, so far as it went, was very satisfactory. The complaint of last Session was, that it was a blank on these matters, when they were led to suppose that the subject of local taxation would have engaged the attention of Parliament and the Government. He therefore hoped that as there was a very small programme of domestic measures before Parliament, this Bill would receive a full and fair consideration, and, with such modification as might be found necessary, passed into law. The necessity for simplifying the law of assessment lay at the root of the whole question, for it was ridiculous that three different systems should prevail for dealing with the same property, and as the Government proposal was aimed at achieving this object there was the more reason for accepting its proposals. It was satisfactory to know that the Bill passed for the metropolis had worked so well. He doubted if it would be satisfactory in every case; but he was glad to hear there was some reason to believe so. It had been held that the introduction of a Government surveyor of taxes into the provisions of a Bill like the present was objectionable as tending to centralization. He personally had no strong objection to the principle of centralization, and should certainly be inclined to accept it if it was combined with relief of local taxation from Imperial sources. He accepted the statement of the right hon. Gentleman with the more satisfaction because it showed the intention of the Government to redeem one, at least, of the pledges which they made while in Opposition, that this subject would receive their immediate attention. The point to which those who pleaded the cause of the local taxpayer chiefly looked was the additional assistance which was to be obtained from the Imperial Exchequer towards local purposes, but that had been generally treated as the last portion of the subject to be dealt with. He hoped, however, now that the Government had brought in a Bill applicable to one branch of the question, they would not intermit their exertions, but endeavour to deal with the most important part of it during the present Session.

Mr. MUNTZ said, he could not agree with the hon. Member who had just sat down in thinking that the House would be willing to abandon the principle of local self-government and independence, simply because some small amount of relief was afforded to local taxation from Imperial funds. He therefore hoped that the Bill would not have the effect of overriding parochial government, though it was capable of improvement; and, further, that before a revolution was commenced, some principle would be laid down in the Bill upon which the new valuations and assessment should be made. At present the greatest possible differences existed in the allowance made for tear and wear and other deductions from the gross value of property in neighbouring parishes where the valuations were made in reference to the original cost; while in many places large and costly houses were let at a merely nominal rental, and were assessed upon the basis of real lettable value. The injustice was so great that he must be allowed to express his surprise that some such measure was not brought forward years ago. Now, however, that it had, he trusted that care would be taken to lay down some rule by which this injustice would be prevented, and that equal uniformity should be enforced. If that were done, he felt sure hon. Members on both sides of the House would do all they could to assist the right hon. Gentleman in carrying such a measure.

MR. FLOYER, while expressing his satisfaction that the Government had introduced the measure with the view of giving relief to the local ratepayers, said, the modes of valuation to which the hon. Member for Birmingham (Mr. Muntz) had referred were contrary to the statute law which had been in existence many years, and, as expounded by the Judges, laid down the only sound principle—namely, that property should be valued according to what it would let for. He therefore thought the right hon. Gentleman had done wisely in avoiding the laying down of any new principle for the valuation of property, but had laid before the House the simple and sound proposal that property should be valued according to the same principle as heretofore. He doubted whether, because a certain system of valuation of property could be carried out without difficulty in the metropolis, such a system of valuation would be equally applicable to the country generally. Nothing could be more different than the nature of property in London and that of property in rural parishes. The overseers who were employed in valuing property in London had a considerable amount of official character, had had a great deal of experience, and were a very different class from the rural overseers. He was afraid, therefore, when the right hon. Gentleman talked about associating the surveyor of taxes with the rural overseer, that the latter would go to the wall whenever any difference arose between them, because it was impossible that he could hold his own as well as the overseer of the London parish, who, with his experience, was more than a match for the surveyor of taxes. It would not be right to ask the right hon. Gentleman to go into minute details in introducing a measure of this kind; but it appeared to him that the practicability of associating the surveyor of taxes with the overseer would depend upon what position was secured to each of those officials in carrying out their duties. If he understood the right hon. Gentleman correctly, he proposed to classify appeals against the valuation with the view of sending one set of appeals before the special petty sessions and the other set before the quarter sessions. He did not understand the right hon. Gentleman to mean that all appeals were to go first to the special petty sessions and from thence to the quarter sessions, but that they were to be classified according to their particular character, only one appeal being allowed. He did not know why one appeal in such cases should not be sufficient, and the only difficulty would be to which of the Courts of Appeal the cases should be sent. He thought that the proposal of the right hon. Gentleman that the salaries of curates should be deducted from the income of rectors and vicars for the purposes of valuation was a mere act of justice, although he did not know exactly the circumstances under which that allowance would be made. The right hon. Gentleman said that that principle of reduction in the assessment of clerical incomes had been adopted in some parts of the country, although from a recent decision of the Courts it seemed not to be justifiable in point of law. He had thus followed the sense of the country as to what was fair and just in this matter. Hon. Members would look forward with interest to a fuller statement from the right hon. Gentleman when the Bill came on for a second reading, because, in a matter of this kind, so much depended upon details. He thought, on the whole, that the House had shown a general disposition to agree with the proposals of the right hon. Gentleman, and that the sketch which the right hon. Gentleman had given of his Bill had been satisfactory. Under these circumstances he should be prepared to give the right hon. Gentleman his best assistance towards carrying this measure.

MR. STANSFELD said, he agreed with the remark that had fallen from the hon. Member opposite (Mr. Floyer), that all discussion upon the measure should be reserved until the second reading, because it was at all times highly inconvenient to attempt to discuss a Bill which they had not seen, and with the provisions of which they were not fully acquainted. In fact, he should not have risen on that occasion at all had it not been that the right hon. Gentleman had, not exactly thrown out a challenge to him, but almost invited discussion upon a somewhat wider issue than that involved in the Bill. The right hon. Gentleman had, at the commencement of his speech, given the House to understand that this measure was to be a part fulfilment of the expectations which Her Majesty's Government had raised with reference to the relief that was to be given to local taxation, and he pointed specially to the possibility of a time arriving when taxation would be lightened by being spread over a wider area. He did not think that he should be doing much service to the public or to the House by taking advantage of that observation of the right hon. Gentleman in order to raise a discussion at the present time as to whether Her Majesty's Government had by this measure sufficiently fulfilled the expectations it had raised on this subject. He wished, however, to remove an impression under which the hon. Member for East Gloucestershire (Mr. J. R. Yorke) evidently laboured, and which was, that, as to this measure, Her Majesty's Government did not intend to come before the House, as their predecessors had done, with a proposition that any contributions to the relief of local taxation should be postponed until after a reform of the local government had been effected. He could not accept that statement as an accurate representation of the views of the late Government upon this question. The truth was that in 1873 he had introduced three Bills—one a Rating Bill, the principles of which the present Government had practically accepted and passed into law; the second a Valuation Bill, on the lines of which the present Bill had been drawn; and the third a Bill for the Consolidation of Rating for the convenience of collecting rates. The late Government had, indeed, declared that Session that they were not prepared to vote the money out of the Imperial Exchequer for the relief of local taxation until the work of that Session had been accomplished; but, nevertheless, the Government was undoubtedly pledged to give in one shape or another relief to local taxation. The right hon. Gentleman would recollect that the then President of the Poor Law Board had introduced a very wide measure, one leading feature in which was to give relief to local taxation. Under these circumstances, he felt bound to say that it was no part of the theory of the late Government that relief to local taxation was to be postponed until local administration had been reformed.

Mr. J. G. HUBBARD congratulated the right hon. Gentleman on the presence at last of the Bill whose advent had been so long expected. In his opinion, it was far easier to carry through a measure of this kind in a comprehensive form than to pass it piecemeal for counties and divisions of counties, and then to endeavour to reconcile the conflicting systems which would grow up under separate administration. He differed from those who thought that a new principle of valuation ought to be introduced. The sound principle had been laid down in the Valuation of Property (Metropolis) Act. With regard to the period at which a new valuation should be made, he would have been better pleased to see "five" remaining in the Bill, because it was rather a serious thing to fix upon anybody an erroneous valuation which could not be disturbed for seven years. The right hon. Gentleman spoke truly of the very great advantage of having one basis of valuation and one rating authority instead of three —he (Mr. Hubbard) might say, instead of 13, for in the Metropolis alone there were 13 different rates levied. The consolidation into one uniform system of these conflicting means of levying rates must be very beneficial both as regarded economy of administration and the absence of the recurrence of the demands made upon the taxpayer. He believed the apprehension was quite unfounded that Englishmen would lose their independence if they were not allowed to assess their property. He thought the system of self-assessment had been grossly abused, and that the country would be far better satisfied if men of responsibility appointed by the Crown were made the medium of determining what was the value of property. In carrying out a system of single assessment we should get not only a single basis, but also a single expression of value both for local taxation and for Imperial taxation. Opportunity would be given for further remark when the clauses of the Bill appeared before the Committee, and he would only add the expression of his gratification at the announcement that the country clergy would get some relief. He trusted that this would be an occasion upon which Her Majesty's Government would not allow the demands of the Chancellor of the Exchequer to be inferior in accuracy to those of local bodies throughout the country, but that they would have one and the same system, thus securing equality and simplicity of action and contentment on the part of the tax-payers.

SIR JOHN SCOURFIELD thanked the right hon. Gentleman for introducing a measure on this subject. Although he was quite ready to give every assistance in his power to make the measure a perfect one, he was not quite so sanguine as some might be. The difficulties were enormous, and he was a little disturbed at the present moment by the appearance of that very extraordinary document which now arrested the attention of half the Kingdom. He alluded to that book which had been somewhat romantically called *Domesday Book.* An hon. Friend of his in that House had spoken of it as *The Money Lenders' Guide,* while others called it *The Mothers' Manual.* All he (Sir John Scourfield) could say was that if either the money-lenders or the other more interesting class of the community trusted to that manual for estimating the wealth of individuals upon whom they had designs, he feared they would be woefully deceived. Many persons would be surprised to see their names attached in it to such an infinitely greater amount of wealth than they believed themselves to be the possessors of. He trusted that whatever valuation was made under this Bill it would be conducted on a more intelligible principle than the valuation in that book. However that might be, he earnestly desired that this measure should lead to a successful determination of this subject.

MR. GOSCHEN wished to know whether the alteration of "five" to "seven" with regard to the number of years at which a re-valuation should be made would be extended to the metropolis? It would be scarcely fair that the metropolis should be re-valued every five years, while other places were re-valued every seven years. With regard to the principle of this Bill he had only to express his satisfaction at the handsome language in which the right hon. Gentleman had spoken of the Metropolitan Valuation Act, which he (Mr. Goschen) had the honour of introducing. Occupants of the Treasury Bench, when they quitted their places, did not always receive compensation for unexhausted improvements. Therefore, he could only express his satisfaction that in this case acknowledgment had been made. The late Government thought they put a good deal of stuff into the ground, and if the result should be a rich crop of legislative measures, they would certainly not complain, but congratulate their successors upon them. At the same time, they hoped the measures would follow each other with reasonable despatch, and that the present Government would not act upon the plan of the Queen in the *Arabian Nights,* and so extend their legislative story as to make it last for ever. There was a Consolidation and a Rates Bill which was perfectly ready to the hands of the right hon. Gentleman. He hoped the House would not have to wait two years for the appearance of that Bill, as they had to wait two years for the appearance of this Bill; but that the Government would produce that and other measures which were ready to their hands as soon as possible.

MR. SCLATER-BOOTH, after thanking the House for the kind manner in which his Motion had been received, said, in reply to the question of the right hon. Gentleman the Member for the City of London (Mr. Goschen) that the metropolis would be spared for, he believed, eight years from a fresh valuation. The number of appeals this year in the metropolis to the special sessions under the right hon. Gentleman's Act was very trifling. They amounted to only 120, although he believed the number of assessments was upwards of 500,000. That spoke a good deal for the operation of the Act. In reply to the observation of the hon. Member for Birmingham (Mr. Muntz), that hon. Gentleman would find an important clause in the Bill establishing a relation between actual rents and values which he (Mr. Sclater-Booth) hoped would be satisfactory. In reply to the hon. Member for Dorsetshire (Mr. Floyer), it was not the case that special sessions were constituted the final Court of Appeal for the ordinary ratepayer, but, as a matter of fact, he had no doubt that would be generally the result. Appeals of primary importance would go to the special sessions; those of secondary importance to quarter sessions.

Motion *agreed to.*

Bill to consolidate and amend the Laws relating to the Valuation of Property for the purposes of Rates and Taxes, *ordered* to be brought in by Mr. Sclater-Booth, Mr. Salt, and Mr. William Henry Smith.

Bill *presented,* and read the first time. [Bill 59.]

PUBLIC ACCOUNTS.

Committee of Public Accounts *nominated*:—Mr. Dodson, Sir Walter Barttelot, Lord Frederick Cavendish, Mr. Cubitt, Lord Eslington, Mr. Goldney, Mr. Thomson Hankey, Mr. O'Reilly, Sir Charles Mills, Mr. Seely, and Mr. William Henry Smith.

SALMON FISHERIES BILL.

On Motion of Mr. Assheton, Bill to amend the Law relating to Salmon Fisheries in England and Wales, *ordered* to be brought in by Mr. Assheton and Mr. Robertson.

Bill *presented,* and read the first time. [Bill 60.]

CRIMINAL LAW EVIDENCE AMENDMENT BILL.

On Motion of Mr. Ashley, Bill to further amend the Law of Evidence in Criminal Trials, and to enable prisoners or defendants, and their wives or husbands, to give evidence at such trials, *ordered* to be brought in by Mr. Ashley and Mr. George Clive.

Bill *presented,* and read the first time. [Bill 61.]

UNITED PARISHES (SCOTLAND) BILL.

On Motion of Mr. Dalrymple, Bill to amend the Act of the seventh and eighth years of Her Majesty, chapter forty-four, relating to the formation of Quoad Sacra Parishes in Scotland, *ordered* to be brought in by Mr. Dalrymple, Colonel Alexander, and Mr. M‘Lagan.

Bill *presented,* and read the first time. [Bill 62.]

BURGLARY AND FORGERY BILL.

On Motion of Mr. Forsyth, Bill to enable Justices in General and Quarter Sessions and Recorders of Boroughs to try cases of Burglary and Forgery, *ordered* to be brought in by Mr. Forsyth, Lord Francis Hervey, Mr. Locke, and Mr. Serjeant Simon.

Bill *presented,* and read the first time. [Bill 63.]

NEWSPAPER REGISTRATION, &C. BILL.

On Motion of Mr. Waddy, Bill to provide for the Registration of Newspapers, and to amend the Law of Libel, *ordered* to be brought in by Mr. Waddy and Mr. Ashley.

Bill *presented,* and read the first time. [Bill 64.]

OYSTER FISHERIES BILL.

On Motion of Mr. Waddy, Bill for the better protection of the Oyster Fisheries, *ordered* to be brought in by Mr. Waddy and Mr. Muntz.

Bill *presented,* and read the first time. [Bill 65.]

EPPING FOREST BILL.

On Motion of Lord Henry Lennox, Bill to extend the time for the Epping Forest Commissioners to make their final Report, *ordered* to be brought in by Lord Henry Lennox and Mr. William Henry Smith.

Bill *presented,* and read the first time. [Bill 66.]

House adjourned at a quarter
after Seven o'clock, till
Monday next.

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HOUSE OF LORDS,

Monday, 14*th February,* 1876.

Their Lordships met;—And having gone through the Business on the Paper, without debate—

House adjourned at a quarter past
Five o'clock, till To-morrow,
Eleven o'clock.

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HOUSE OF COMMONS,

Monday, 14*th February,* 1876.

MINUTES.]—New Writ Issued—*For* East Retford, *v.* Viscount Galway, deceased.

Select Committee — Public Petitions, *appointed.*

Supply—*considered in Committee*—Suez Canal (£4,8000,000)—r.p.

Public Bills—*Resolution* [February 11] *reported*—*Ordered*—*First Reading*—Council of India (Professional Appointments) * [69].

Ordered—Drainage and Improvement of Land (Ireland) Provisional Orders *.

Ordered—*First Reading*—Burial Grounds * [67]; Industrial and Provident Societies * [68].

ARMY—MILITARY PRISONERS—CASE OF GUNNER CHARLTON.

QUESTION.

Sir EDWARD WATKIN asked the Secretary of State for War, Whether compensation has been made, as promised last year in the House by the Secretary of State for War, to Gunner Charlton of Topsham Barracks, Exeter, crippled for life by frost-bite while undergoing solitary confinement as a prisoner at Millbank Prison; and, if so, what was the amount of the compensation in annual pension or fixed gratuity?

MR. GATHORNE HARDY: Sir, I cannot quite admit the correctness of the Question of the hon. Member. Gunner Charlton cannot be pensioned until discharged; and he is still in hospital at Exeter, where he will remain until less inclement weather admits of his being sent before a Discharging Board at Devonport. His case has been laid before the Chelsea Board, with a strong recommendation from me, in accordance with what I alone promised—namely, "without entering into the merits of the case, I would recommend that something should be done for the man after leaving the hospital." The Secretary of State is not empowered to order or promise compensation in such a case.

ARMY MEDICAL DEPARTMENT—EXAMINATIONS.—QUESTION.

DR. LUSH asked the Secretary of State for War, If the changes in the Army Medical Department, indicated in his speech towards the close of the last Session of Parliament, are likely soon to be carried out?

MR. GATHORNE HARDY, in reply, said, there were three Questions on the Paper in reference to the subject, and, in answer to them all, he might say it was perfectly true that at present there were 40 vacancies in the Army Medical Service and that there were only 12 candidates for them. The examination of candidates which ought to have taken place that day had therefore been deferred. He had laid before those Departments which must be consulted before he could bring any measure under the consideration of the House, a proposal which he believed would remedy a great many, if not all, the present difficulties in connection with the Army Medical Department.

INDIA—THE DISTURBANCES IN THE MALAYAN PENINSULA—THE PAPERS.

QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for the Colonies, Whether he will lay upon the Table Papers showing the cause of the recent disturbances in the Malayan Peninsula, and the Orders of Her Majesty's Government on the subject?

MR. J. LOWTHER: Sir, Papers upon this subject will shortly be laid upon the Table, though their production is temporarily delayed in order that certain important despatches may be added. Amongst these is one from Sir William Jervois, now on its way home, and which he has specially requested may be included amongst the other Papers.

POST OFFICE CHEQUES.—QUESTION.

MR. NEVILLE-GRENVILLE asked the Postmaster General, Whether he will facilitate the sending money through the Post Office, either by the sale of cheques for a limited amount at the different branches, or by some other method by which the trouble and high charges of the present Money Order system may be avoided?

LORD JOHN MANNERS, in reply, said, the subject was now undergoing the careful consideration of the Government.

POST OFFICE—THE NORTH AMERICAN MAIL CONTRACTS.—QUESTION.

MR. BAXTER asked the Postmaster General, If notice has been given to terminate the contracts with the Cunard and Inman Companies for carrying the Mails between this country and North America; and, if he can now state what new arrangements were to be proposed for conducting the service?

LORD JOHN MANNERS, in reply, said, the notices in question were delivered on the 11th of August last, and he hoped soon to be in a position to state what the new arrangements would be.

THE "MISTLETOE" COLLISION—BARON BRAMWELL.—QUESTION.

MR. ANDERSON asked the Secretary of State for the Home Department, Whether Mr. Baron Bramwell has ever been officially asked whether in his charge to the Jury on the "Mistletoe" inquiry he had used the words ascribed to him by the newspapers of the day (or words of anything like similar import), these words being "a verdict against Captain Welch would give great pain to Her Majesty;" and "as Englishmen would you not be proud to think that the Queen travelled at a greater pace than anybody else;" and, whether he can inform the House what was Mr. Baron Bramwell's reply?

MR. ASSHETON CROSS: No, Sir, I have not thought it my duty to make any official inquiry into this subject. Since the Question of the hon. Member was placed upon the Paper, however, I have communicated with the learned Judge referred to, and I hold in my hand a letter from him. With reference to the last part of the Question, I have to state that the five or six words quoted in the Question bear a very different interpretation standing by themselves from what they do when read in connection with the rest of the learned Judge's language. With regard to the first words quoted in the Question, I have distinctly to state, on behalf of the learned Judge, that he not only did not say what he was supposed to have said, but that he said the negative of it. He "cannot but say that he was supposed to have said what no Judge on the bench could possibly have said," and he "cannot understand how he could be believed to have made use of those words."

ARMY—THE MILITARY SCANDAL AT HYTHE.—QUESTION.

MR. SANDFORD asked the Secretary of State for War, Whether he will lay upon the Table of the House the Report of the Commission issued to inquire into the Military scandal at Hythe?

MR. GATHORNE HARDY: Sir, it is not because there is anything to conceal, but, on general principles, it is not considered expedient to place the proceedings of Courts of Inquiry on the Table of the House. There was no Commission.

MR. SANDFORD gave Notice of his intention to call attention to the subject on the Army Estimates.

ARMY—THE BARRACKS AT OMAGH.

QUESTION.

MR. HENRY CORRY asked the Secretary of State for War, If he will state when the building of the barracks for the Depôt Centre at Omagh will be commenced?

MR. GATHORNE HARDY: Sir, alterations to the existing barracks at Omagh, for the purpose of the Depôt Centre, have been in progress for some time, and are nearly completed. The arrangements for proceeding with the construction of certain additional buildings which are required are in a forward state, and it is hoped that they may be commenced in the course of the next few months.

ARMY—THE COMMISSION ON PROMOTION AND RETIREMENT.

QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, When it is likely that the Report of the Royal Commission on Promotion and Retirement in the Army, which was assembled in November 1874, will be laid before the House?

MR. GATHORNE HARDY, in reply, said, he was sorry he was unable to give the hon. Gentleman the information he asked for. The Commission had been very actively engaged on the subject, but the actuarial calculations would take a longer time than was expected. He hoped the Commission would be able to report in the course of two or three months; but, of course, he was not able to say until that Report had been received what course he could pursue in regard to it during the present Session.

INDIA—DEPRECIATION OF SILVER—THE INDIAN CIVIL AND MILITARY SERVICES.—QUESTION.

SIR PATRICK O'BRIEN asked the Under Secretary of State for India, Whether the attention of the Indian Government had been directed to the loss sustained by Members of the Indian Civil and Military Services (when transmitting money home to their families), in consequence of the depreciation of the exchangeable value of the rupee; and, whether it is contemplated to propose a gold currency for India, or to take other steps to remedy the grievance complained of?

LORD GEORGE HAMILTON: Sir, the attention of the Secretary of State has been drawn to the depreciation of the exchangeable value of the rupee, but the rates at present allowed to members of the Civil and Military Services considerably exceed the rate at which the Secretary of State can obtain remittances from India. In fact, the grievance is not against the Indian Government, but against silver which will insist upon depreciating itself. There is no intention at present to alter the currency in India, and it would be very difficult—if not impossible, for the Secretary of State to make any further concession to these officers, as the depreciation of silver largely increases the expenditure of the Indian Government.

ARMY—THE CONNAUGHT RANGERS.

QUESTION.

SIR PATRICK O'BRIEN asked the Secretary of State for War, Whether there is an intention on the part of the Military authorities to permit the 88th Regiment (Connaught Rangers) to serve in Ireland prior to their proceeding on Foreign service, over thirty years having elapsed since the Regiment was quartered in Ireland, and considerable expense being incurred by Irish privates in the Regiment when proceeding on furlough to that country to visit their relatives?

MR. GATHORNE HARDY: I am happy, Sir, to inform the hon. Baronet that his patriotic wishes will be gratified, and that in the ordinary course the 88th Regiment will go to Limerick and New Ross in the course of the present year.

EDUCATION — THE FACTORIES ACT, 1874—EXAMINATIONS.—QUESTION.

MR. MUNDELLA asked the Secretary of State for the Home Department, If it is true that the Inspectors of Factories are instructed to disregard Clause 12 (the Educational Clause) of the Factories Act 1874, and that children are being passed daily as full-timers contrary to the Act, without being subjected to any educational test; and, if so, who is responsible for the same?

MR. ASSHETON CROSS, in reply, said, that a Minute was presented to the Education Department at the end of June, and the Act would have come into operation at the proper time, as fixed by the Act itself, but the recommendations for the granting of certificates did not appear to have been fully understood. He was happy to say, however, that arrangements were now being made by the Education Department to enable persons to be examined immediately in the great centres of industry, so that no further difficulty need be experienced in putting the Act into operation.

INDIA—THE EXCHANGES.

QUESTION.

MR. BECKETT DENISON asked the Under Secretary of State for India, If the Secretary of State in Council has it in contemplation to review and revise the present system of drawing bills of exchange upon India each month, whereby a loss of two million pounds per annum is sustained by the Indian Exchequer, or a sum equal to the interest at 4 per cent, of a public debt of fifty millions?

LORD GEORGE HAMILTON: The Secretary of State, Sir, does not at present intend to alter the system of drawing bills of exchange upon India, but he is quite prepared to adopt from time to time such measures as may appear to him likely to lessen the loss on exchange, and he will be glad to consider any practical suggestion which my hon. Friend or any other authority may have to make to him. The loss of £2,000,000 per annum, spoken of by my hon. Friend as sustained by the Indian Exchequer, is chiefly one of account. Previous to 1857 the rupee was always estimated at 1*s.* 10½*d.*, but for convenience of account it has since been estimated at 2*s.*; and the loss accruing, placed under the head of "loss on exchange." No doubt, loss to the Indian Government has been caused by the accumulation of silver.

CHURCH BODIES (GIBRALTAR)—THE ORDINANCES.—QUESTION.

MR. DILLWYN asked the Secretary of State for the Colonies, Whether he will lay upon the Table of the House the Ordinances which have been prepared for constituting and endowing Church bodies for the Anglican and Roman Catholic communities at Gibraltar?

MR. J. LOWTHER, in reply, said, it was not usual to lay before Parliament the draft of measures which were under consideration; but, in this instance, if his hon. Friend would like to see the ordinances to which he referred, he (Mr. Lowther) would be glad to show them to him if he would be so good as to communicate to the Department on the subject.

INTERMEDIATE EDUCATION (IRELAND).—QUESTION.

Mr. O'SHAUGHNESSY asked the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to legislate on the subject of intermediate education in Ireland during the present Session?

Sir MICHAEL HICKS-BEACH: Sir, it is difficult at present, at this early period of the Session, to give a definite reply to the Question. I fear, however, that there will not be sufficient time at the disposal of the Government to enable me to introduce any measure on the subject.

SEAL FISHERY.—CLOSE TIME.—INTERNATIONAL AGREEMENT.—QUESTION.

Mr. YEAMAN asked the President of the Board of Trade, Whether Her Majesty's Government have been able to make any arrangements for the establishment of a close time in the Seal Fishery off Greenland?

Sir CHARLES ADDERLEY, in reply, said, that arrangements under the Act passed last Session had been made by Her Majesty's Government for the establishment of a close time in the Greenland Seal Fishery, which would have been in operation during this season's fishing. A day or two ago, however, information was received by telegraph that Norway, who is largely interested, is unable to legislate in time for this year's fishing, and as the arrangements, to be of any value, must be international and mutual, the Government have been most reluctantly compelled to rescind the arrangements they had made. There could, therefore, be this year no restriction imposed on the time for commencing the capture of Seals.

NAVY.—H.M.S. VANGUARD.
QUESTION.

Mr. PARNELL asked the First Lord of the Admiralty, Whether it is true that the wreck of the Vanguard is silting up with sand; and if so, whether he has any information as the extent of the silting up; and, if the Admiralty, in any contract entered into for the raising of the ship, has reserved power to itself to take steps, prior to the expiration of the time allowed for the completion of the contract, to prevent the wreck from becoming a permanent obstruction to navigation?

Mr. HUNT, in reply, said, that by the last report he had received, which was dated the 22nd January, it appeared that the *Vanguard* had sunk vertically into the sand to the extent of 9½ feet since the 11th of September. If any contract were entered into for the raising of the vessel power would be reserved to the Government to terminate such contract in the event of the rate of progress not being satisfactory, and to take any necessary steps to prevent the vessel being any obstruction to navigation, and if the ship were not raised the masts would be removed.

SHERIFFS COURTS (SCOTLAND).
QUESTION.

Mr. FARLEY LEITH asked the Lord Advocate, If it is his intention to re-introduce the Bill for extending the jurisdiction of the Sheriffs Courts in Scotland, which was withdrawn last Session?

The LORD ADVOCATE: In reply to to the hon. and learned Gentleman, I have to state that it is my intention to introduce a Sheriff Courts (Scotland) Bill, with provisions similar to those in the Bill of last year. I hope to have an opportunity of doing so soon.

PRISONS (IRELAND)—LEGISLATION.
QUESTION.

Mr. REDMOND asked the Chief Secretary for Ireland, If it is proposed to extend to Ireland the promised legislation for the better management of prisons?

Sir MICHAEL HICKS-BEACH, in reply, said, the course proposed in the Question of the hon. Member would be taken, and he had prepared a Bill on the subject, which he hoped to be able shortly to introduce.

THE SUEZ CANAL COMPANY—THE BYE-LAWS AND STATUTES.

QUESTION.

LORD ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether, in addition to the Concession and Statutes of the Suez Canal Company which he has promised to lay upon the Table of the House previous to the discussion on the purchase of shares, he will also lay upon the Table of the House "the Bye-laws of the Company and the Resolutions adopted by the General Meeting of the Shareholders," to which the English nation is bound by the possession of shares?

THE CHANCELLOR of the EXCHEQUER, in reply, said, he thought his noble Friend had been misled by the use of the word "bye-laws." There were no bye-laws in addition to those included in the Concession and in the Statutes of the Company. There were, of course, a certain number of resolutions that had been passed at the General Meetings of the shareholders; but the majority of them were merely of a formal character, which it was not desirable to trouble the House with, but in preparing the copies of the Concession he would take care that any important resolution which might have been passed should be added to it.

INDIA—TENDERS FOR BILLS ON BOMBAY.—QUESTION.

MR. ALDERMAN W. M'ARTHUR asked the Under Secretary of State for India, Why the Secretary of State has refused to accept tenders for Bills of Exchange on Bombay to the extent of 7,000,000 rupees, which have been advertised for?

LORD GEORGE HAMILTON: Sir, the India Office advertisement of the 10th of November, 1863, the terms of which are by the advertisements now issued applicable to tenders for bills on India provides that "the Secretary of State will not be bound to accept any tender." On the 2nd inst. tenders were accepted to the amount of 17,50,000 rupees at 1*s.* 9½*d.* and 1*s.* 9⅝*d* the rupee, all other tenders at lower rates being, in the exercise of the power referred to, rejected. Application was subsequently made that the accepted tenders might be cancelled on the ground that by a clerical error the rates had been wrongly stated, the figure "8" having been substituted for "9," and the Secretary of State, being satisfied of the accuracy of that representation, consented to cancel the tenders.

THE MINISTER OF WAR IN EGYPT.

QUESTION.

SIR H. DRUMMOND WOLFF begged to ask, Whether it is true that General Pettie is to be appointed Minister of War in Egypt; and, whether that gentleman is a Russian officer, and one of the leaders of the Panslavic party in Russia?

MR. BOURKE requested the hon. Member to repeat his Question on some future day.

SLAVERY AND THE SLAVE TRADE—FUGITIVE SLAVES—THE ROYAL COMMISSION—NOMINATION.

MR. DISRAELI: I will announce to the House the names of the Gentlemen whom Her Majesty has been pleased to appoint as a Royal Commission to inquire into Her Majesty's engagements with other States and other matters connected with Slavery. They are the following:—Duke of Somerset; the Lord Chief Justice of England; Sir Robert Phillimore; Mr. Justice Archibald; Sir Henry Holland; Sir George Campbell; Sir Henry Maine; Mr. Fitzjames Stephen; Mr. Rothery; Right Hon. Sir Mountague Bernard; Rear-Admiral of the Fleet, Sir Leopold Heath; and Hon. Alfred Thesiger.

SUPPLY—THE SUEZ CANAL SHARES.

Order for Committee read.

SUPPLY—*Considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have to submit to the Committee that a Vote of a sum not exceeding £4,080,000 be granted to Her Majesty to enable Her Majesty to pay the purchase-money for shares which belonged to the Khedive in the Suez Canal, and the expenses attendant thereon. The explanation of this Vote is in the printed Paper which is in the hands of hon. Members; and I will shortly state the effect of that explanation. His Highness the Khedive, having proposed to sell the whole of his shares in the Suez Canal to Her Majesty's Government for £4,000,000, Her Majesty's Government accepted the proposal. His Highness the Khedive's shares were supposed at first to be 177,642, the number formerly belonging to him; but it was subsequently found that in consequence of his having sold some of them, the number was only 176,602. A reduction corresponding with the reduced number of shares was therefore made in the purchase-money, bringing it down to £3,976,582. The Messrs. Rothschild undertook to pay this sum to the Khedive, and in consideration of their trouble and risk it is agreed that the Government will pay them 2½ per cent commission on the purchase-money, or £99,414. A small balance to make up a round sum is added in order to meet any additional expenses which may have been incurred. That arrangement, which is referred to in this Paper, was come to by Her Majesty's Government, as the Committee are aware, in the month of November last; and we have taken time before calling the attention of Parliament to the subject. An opinion has been expressed in some quarters that we should have done better to have advised Her Majesty to call Parliament together immediately the bargain had been made; but I think that, upon reflection, most persons will be satisfied that, independently of the inconvenience which is always attached to summoning Parliament unexpectedly in the winter season, there were reasons which made it better that the discussion of the subject should not be hurried forward. The matter was one which took the public, at all events, both in this country and abroad, by surprise. There was some natural excitement at the announcement. It is probable, from the opinions which were expressed—I may say in almost every quarter—at the moment of the announcement that, as far as Her Majesty's Government were concerned, if they had met Parliament immediately on the completion of the transaction, they would have received a very cordial and enthusiastic support. But I cannot help thinking that complaints might not unreasonably have been made on the part of some hon. Gentlemen that they had not had time to consider so grave a matter; and perhaps, when the first enthusiasm had subsided, a regret might have been felt that more opportunity for full consideration had not been afforded. There was no constitutional reason for the immediate assembling of Parliament; and, therefore, the opportunity has now been given, both to Members of this House and the country at large, to consider this question in all its bearings; and I hope that the discussion which will no doubt occur on the proposal of the Vote to-night will be of a more searching and more thorough character than could possibly have been the case in the month of December. Sir, the great difficulty I feel in bringing this Vote under the notice of the Committee arises from my sense of the large mass of information which we have at our disposal, and the great range of subjects over which it would be possible for me to travel, and my unwillingness unnecessarily to detain or to confuse the House by going into all the details which naturally suggest themselves to me. I will endeavour, as far as I can, to condense what I have to say, and avoid going over ground which is already familiar to the Committee. If I omit any points I shall have the opportunity, I hope—or, rather, Members of the Government will have the opportunity—of supplying whatever may appear to hon. Members to be defective. Therefore, I will proceed, as concisely as I can, to lay before the Committee the leading features of this transaction, and the reasons which have induced Her Majesty's Government to take the course they have pursued. Now, the great enterprize of the Suez Canal is one which from its first inception has attracted the attention of this country. It has been the subject of much criticism and of many doubts. There were great doubts, in the first instance, whether the enterprize was one that could possibly be accomplished. There were doubts whether, if accomplished, it would be of any advantage to England. There were doubts also whether, in the event of its being carried through, it would not produce political consequences which might be disadvantageous to this country. And the result was that the Parliament and the Government of England held aloof at the beginning of the undertaking from assisting in its commencement; and not only held aloof, but discouraged —and, perhaps, it may not unfairly be said, to some extent impeded—the operations of the projector. I think that subsequent events have shown that this is one of those cases in which the old saying applies—that incredulity also has its dupes, for I cannot help thinking that if the English nation had taken a somewhat different line on the first commencement of the undertaking, some of the disadvantages which have been experienced of late years might have been avoided. However, the doubts which were felt—and honestly and very naturally felt—with regard to this enterprize have been gradually dispelled under the influence of facts. The Canal has been made, has been opened, and has been proved to be of great advantage to England; while as respects the political inconveniences that would result from it, they are, at all events, as yet undeveloped. The Canal, at any rate, is a fact; and I wish to call the attention of the Committee now to the position of the undertaking, and of the Company by which it has been carried through. We all of us, when we speak of this great work, most justly pay the first tribute of respect to the name of the projector, M. de Lesseps, and I am most anxious to speak with full and entire sympathy and admiration of that gentleman. I am anxious also to do justice to another whose share in this enterprize is, perhaps, somewhat left out of sight, and yet it was not an inconsiderable one. I refer to the Viceroy of Egypt, and when I say the Viceroy of Egypt, I wish to be understood as speaking not only of the present Viceroy, but of his predecessor, Said Pasha. It was through the hearty and energetic co-operation of these two great and eminent personages that this undertaking has been brought to the condition of success which it has attained. I wish to call the attention of the Committee briefly, as my subject to-night is mainly a financial one, to the financial position of the Company, and to the connection of the Khedive of Egypt with it from a financial point of view. I have seen in the public papers and elsewhere very interesting and elaborate accounts of the financial position of the Suez Canal Company; and hon. Gentlemen who have read the various articles and letters which have appeared both in the English and the foreign newspapers must, I think, unless they are very familiar with the details of such accounts, have become a little perplexed with the great complication of the different classes of capital and classes of obligations, and the different relations between the different kinds of securities with which we have been so abundantly supplied. I have endeavoured, as well as I can, to obtain a concise opinion upon the actual position of the Company, and with the assistance of the able gentlemen who compose the financial Department of the Treasury, I have obtained some analysis of the position of the Company. Even so, it is far too long and too complicated for me to trouble the Committee with it; but I can give them in a short form one or two of the results to which it leads. The capital of the Company—what may be called the open capital—was £8,000,000 sterling, and, in addition to that £8,000,000 of capital of the Company, there have been created bonds for the accrued interest of the shareholders during the time when the receipts were not sufficient to pay that interest, though the Canal had been opened and the work was in operation, to the amount of £1,360,000. Therefore the capital of the Company is placed at £9,360,000. In addition to that the Company raised loans of £4,480,000, making together £13,840,000. Now, I find that they have charged to capital, as having been expended on works, about £15,000,000, and that, moreover, they have paid in interest charged to capital about £4,000,000 more, making a capital expenditure of £19,000,000. But they only raised £13,840,000, and the difference between what they have raised and what they have expended amounts to £5,160,000—a sum which was almost entirely provided in one shape or another by the Viceroy of Egypt. Moreover, the Company are in possession of lands granted to them by the Khedive which, after all they have had to surrender, are worth about £4,000,000. Again, the Committee will remember that at the commencement of this undertaking the Viceroy of Egypt, besides the direct pecuniary aid he gave to the Company, agreed to supply them with labour upon cheap terms—forced labour, in fact. That labour was supplied for several years, but ultimately, in consequence of objections taken to the system, that assistance was withdrawn and compensation was paid to the Company for its loss. But up to the time of the withdrawal a considerable amount of labour had been contributed by the Khedive. This amount, on a rough calculation, may be taken at £400,000. Moreover, the Khedive having forestalled the payments made by him under the Emperor's award, made no charge for discount, thus virtually contributing a further sum to the Company which may be taken at £350,000. These sums, added together, amount to £4,750,000, so that we may say the Khedive, besides taking the shares, supplied the Company with nearly £10,000,000 of money or money's worth. It is almost superfluous to point out that in some respects the Canal has been a disadvantage to the Khedive, inasmuch as it competes with other modes of transit from which he obtained some profit; and it may be a question, indeed, whether he has not found the Canal a direct pecuniary loss. But I do not dwell upon that. I only point out that in one shape or another the Company have received large advantages from the Khedive, from which he gets no return. Well, what has been the result? The result to the Khedive has been, as I shall presently point out, embarrassment. To the Company the result, which is not unsatisfactory, has been this. They have, as I have pointed out, in the shape of lands, assets of about £4,000,000; their loan liabilities amount to £4,480,000. Therefore, their assets, if realized, are pretty nearly sufficient to balance their liabilities. Thus they have their capital disengaged and their net profits, whatever they may be, available for dividends. Well, now I may be asked, What are these net profits and how far is the Company solvent and successful? Upon that point I think the figures, and they are very few, which I shall mention to the Committee, show the Company in a pecuniary sense to be making very satisfactory progress. I have here a statement of the business of the Canal, taken from the Company's annual reports for the years 1870-74, that for 1875 not having yet come to hand. I will only trouble the Committee with the net results in each year. In 1870 there was a deficit of £383,570. The following year the deficit had been reduced to £105,700. In 1872 the deficit disappears altogether, and there is a small surplus of £82,851. The fourth year the surplus amounts to £299,397, and during the last year it has risen to £322,343. I believe the result for the present year is likely to be more favourable still, and that it is such as to show that the Company are in a prosperous and satisfactory condition. Now, with regard to the importance of the Canal to this country, I will just call attention to the number and tonnage of British ships passing through it. I find that these figures have been advancing with very great rapidity. In the first of the years I have just mentioned, 319 British ships, with a tonnage of 291,000, passed through the Canal. Those numbers steadily advanced year by year, till in 1874 we find the number of ships 898, and their total tonnage 1,209,000. The following year the number of ships appears as 884, and their tonnage 1,221,000, and by the end of this year probably 1,500,000 of British tonnage will have passed through the Canal. Without going into further details, these figures show very conclusively that the Canal is of no small importance to British commerce. I will just add this one fact—that the proportion which British tonnage bears to foreign appears for last year and the year before 73 per cent, to which it had increased from 67 per cent in the first year. But I do not think I should be quite doing justice to the advantages which this means of communication confers upon us if I did not also lay before the Committee a very remarkable statement made to me on the part of the India Office. I will take the liberty of reading to the Committee a short extract from this memorandum—

> "The Suez Canal was opened on the 17th of November, 1869. Its influence on our relations with India is twofold—administrative and commercial. The administration has greatly benefited by the additional facilities afforded for the transport of troops to and from India. Instead of the service being conducted with two vessels plying between Southampton and Alexandria, and three between Suez and Bombay, the ships are now sent the whole way to and from India. By this course it is possible to make ten instead of eight voyages every season, and consequently to convey 25 per cent more troops; while, when —as happens this year—the number of the reliefs is somewhat reduced, the whole service can be performed by four instead of five ships, the other being kept in reserve at small expense, or lent to the Imperial Government. During the summer also there are five instead of two ships at home to meet any emergency. The disembarkation and re-embarkation of the troops and their baggage in Egypt is avoided—a point of very great importance in the case of women and children, and especially of invalids, who used to be sent round the Cape in order to escape

the trials of the land route. The ships can be easily and more economically examined in England, and any repairs or improvements effected, instead of their having to be brought home specially round the Cape. The necessity for maintaining the full complement of officers and men in all the ships during the summer is removed, and a great reduction effected in the expenditure for repairs, stores, mess, and provisions; while the coal depôts at Suez and Aden have been given up, and the stock at Bombay greatly reduced, a measure resulting in a large saving, since the freight of coal to Port Said is much less than the cost of conveying it round the Cape to India or the Red Sea. The hospital at Suez has been abolished, and the staff both at that place and at Bombay reduced. As regards the despatch of stores to India for the use of the Government, the convenience of the Canal is very great. It is true that the charge for freight is very high, owing to the employment of steamers and to the heavy Canal dues; but there is a great practical gain in consequence of the much shorter time within which the stores can reach India in case of emergency, on the one hand, and the longer time afforded for obtaining them economically when there is no great hurry, on the other. Under the former system the cost of sending stores overland through Egypt was very heavy, when pressing necessity led to the adoption of such a step."

The memorandum goes on to discuss the commercial advantages of the Canal; but I will not detain the Committee on this head. I have preferred to point out its administrative advantages, because I think this is a matter in which we are not merely interested for the sake of trade and commerce, but also with respect to our communication with our Indian Empire; and when the question is asked whether there is any use in making a sacrifice to keep open the road to our Eastern dominions, and whether we are only thinking of time of war and the mode of providing against a possible interruption of this communication, I cannot help reminding the Committee that there is an important public service continually going on between England and the East in time of peace, and that it is of great importance that we should make the best provision we can for securing an uninterrupted passage to India and our Eastern possessions. It has been said that what we should have to do in time of war as the owners of a certain number of shares would be precisely what we should have to do if we did not own shares at all—that is to say, we should have to use force. But I am not contemplating times of war when we might have to resort to force. I am speaking of times wholly independent of European complications. I will point out to the Committee one advantage of great importance to us which we gain by having free access to this passage. Some hon. Members may remember a difficulty which arose some years ago in relation to one of our colonies. They may remember that there was an insurrection on the Red River, and that the Canadian Government had occasion to send troops from Canada to put down that outbreak, and a difficulty arose in sending those troops because they had to pass through a canal, which was closed against them, being under foreign influence. The same kind of difficulty might arise on an occasion of our having to send troops to the East in a matter in which no European Power was interested. We might have to send troops to suppress a mutiny in India or to take part in operations in some portion of the East, and it is of very great importance that we should not be liable to be stopped by difficulties if we can prevent them arising. I am aware, as I have just heard said, that the purchase of the shares would not prevent it, but I shall deal with that point presently. I will return, if the Committee will allow me, to the history of the Canal. It was started under circumstances of difficulty and discouragement; and although the enterprize was completed, for the first few years, as the statement just read will show, it was not financially profitable; and, moreover, there were fears entertained that the Canal would cost a great deal more to keep it in order than had been reckoned upon, and that large and costly works would have to be undertaken in order to maintain the access to Port Said. Consequently the Company were anxious to take some steps which would enable them to improve their receipts. M. de Lesseps came over here. He was anxious to seek co-operation in England. His feelings towards England with reference to the Canal were not altogether satisfactory; but M. de Lesseps, although he might feel more or less pleased with England — although he might feel more or less of that jealousy which we attribute to Frenchmen, and which perhaps we have done something to provoke—was, at all events, in this case entitled to a great deal of praise. But whatever might have been his feelings on such points as these, one feeling I believe to be paramount in his mind, and that is, a feeling which the artist has for the work of his own creation. He loved the Canal; he felt that his name was associated with that great work, and he had an earnest desire that that great work should not perish. He was anxious to secure the success of that work. He was ready to make friends with England. He was ready to go to war with England, so far as a director can go to war. He was ready to do anything to secure that which was necessary for the success of the Canal. Well, he came over here and he made proposals which were discussed with Her Majesty's Government of the time. The proposals were not made at a favourable time. The price of the shares was very low, and perhaps a little help at that time would have been acceptable; but the Government decided that they could not entertain the proposals which M. de Lesseps had made, so that they then came to nothing. M. de Lesseps then tried other measures; he tried to get the charge which he was authorized to lay upon vessels raised. Of course that was an attempt against which England was bound to protest, and a great deal of correspondence passed; a great many difficulties had to be encountered, and ultimately a conference was held at Constantinople. An arrangement was come to by the Representatives of the nations there assembled; and while M. de Lesseps was obliged to give way on many points with regard to which he advanced his contentions, at the same time terms were arrived at by which he was authorized to levy a certain limited amount of surtax on vessels passing through the Canal. The object of that surtax was to provide funds for the expenditure required for the Canal. M. de Lesseps was never satisfied with that. He protested against it, and he attempted some time ago to resist it. Of course, his opposition was overborne, but it was overborne by means which, I consider, it is undesirable to call into operation more often than can be helped—that is, by our invoking the assistance and active interference of the Porte and the Viceroy of Egypt. We were right in invoking that assistance, and they were right in giving it; and that is the *ultima ratio* to which you must have recourse when difficulties such as those with which we were met arise. But it hardly needs that I should show how unsatisfactory it is to invoke such interference more frequently than is absolutely necessary. Then the question still arises—what was the position of the concern, and what were the probabilities that it would be financially a successful undertaking, and what were the probabilities of any further large amount of expenditure being required? Upon that subject we have had—as our Predecessors have had—many causes for anxious consideration and reflection. I may say, for myself, I had not been in office many months when serious representations were made, and proposals involving questions of loans, questions of guarantees, and other questions were brought forward, all of which pointed to the probable necessity of some very large expenditure being required within a short time. I should like now to mention to the Committee that from the earliest period, I think, of these discussions, we have had the advantage of the assistance of a gentleman of very great ability and long connection with this matter—I mean Colonel Stokes. Colonel Stokes, who is an officer of Engineers, was originally employed on the Commission for the regulation of the navigation of the mouths of the Danube, and he has since been employed at the Suez Canal. It has been the practice of Her Majesty's Government to give him every facility on the subject and consult him freely and confidentially on every phase of the matter, so that he has been to us a very admirable book of reference upon all questions connected with the Canal. Now, of course, on this particular question of the physical condition of the Canal, Colonel Stokes's testimony would be of great value; and it is with very great satisfaction that I have found Colonel Stokes's reports as to the measures which have been adopted for dredging have of late been more and more cheerful, and that the probability of a very large outlay being needed for securing access to Port Said has become less and less. It is impossible to say what another year or two will bring forth; but as far as we can see at present, the opinion seems to be that it is not exceedingly probable that any very large or gigantic expenditure will be called for for purposes of that kind. We found that the Canal was in good order; we found that the difficulties with which it was threatened were at all events smoothed over; and at the beginning of last autumn those who had the success of the Canal at heart were in good spirits, and satisfied with the state of things. But in the meantime let us go back to the position of the Khedive. The financial difficulties of the Khedive had been continually increasing, as such difficulties are apt to do. It would not be correct to say that the expenditure in connection with the Suez Canal had been altogether the cause of these difficulties, but it had undoubtedly contributed towords them. The Khedive, who is a man of a very ardent temperament—very keen indeed to improve the condition of his country, and ready to expend money not merely upon frivolous luxuries, but upon works which are intended, and, under certain circumstances, are calculated to develop the resources of the country—had been outspending himself. The consequence was, he was pressed for money. Not only was that the case, but the financial administration of Egypt is in an unsatisfactory condition, and the manner in which his finances have been guided has not been such as to do fair and full justice to his resolves. The ready means which presented itself to him was to part with or mortgage the property which he possessed. There were always people ready to lend the money on terms very much more to their advantage than to his. There were people who would purchase his property, but on terms rather more favourable to the buyer than to the seller. Now, his property was not only important to him as the Ruler of Egypt, but it was more or less of international importance, consisting, as it did, of railways, and harbours, and other undertakings in a country which is on the highway of the world; and it was to be deprecated that the Khedive should divest himself of it, and that it should pass into the hands of those who would only desire to make as much money of it as they could. The Khedive, I would point out, has frequently parted with property at a moment of pressure at what I cannot help feeling was much less than its real value. Perhaps the circumstances of the moment were such that it could not be otherwise. Let me just give as an illustration the result of his parting with these coupons, of which we have heard so much, and of which we shall hear so much more. I mean the coupons on the shares which we bought. The Khedive found himself to be indebted to the Company in a sum of 30,000,000 francs. He had to raise that money, and the way in which it occurred to him to raise it was by cutting off the coupons of his 176,000 shares for twenty-five years and handing them over to the Company. The Company, in place of these 176,000 coupons, issued 120,000 *délégations*, of the same nominal amount (500 francs), but they issued them at the price of 270 francs. At that price the issue produced rather more than the required 30,000,000 francs. The holders of the *délégations* are entitled to the interest and dividends which the Khedive would have been receiving had he retained his coupons. But what is now the value of these *délégations?* They represent the property which the Khedive parted with in order to raise the sum of 30,000,000 francs, and they are now worth upwards of 70,000,000 francs; in that way, and by transactions such as that, it is obvious that the Khedive was rashly and hastily parting with his property in order to meet present necessities without reference to its future value. I must apologize to the Committee for going at such length into this subject. It may seem to be travelling out of the way, but I think it was necessary that I should make these few observations. I come now to the actual transaction which we are submitting to the consideration of the House at the present moment. In the middle of November my noble Friend the Secretary for Foreign Affairs received some communications which led him to believe that negotiations were going on with the view of enabling the Khedive to raise more money by the sale or mortgage of his Canal shares. My noble Friend accordingly made inquiries, through our able Consul General at Cairo, for the purpose of ascertaining whether such was the case. It at once appeared to us that the transaction was one which was, for many reasons, undesirable. We were the more alive to the injury which would result to the Khedive from hastily pledging those shares, because, immediately before this, His Highness had asked the English Government to give him the assistance of one or two gentlemen from England in the regulation of his finances. That was a request which made us naturally feel more interest than would otherwise, perhaps, have been the case in the step which we found he was about to take.

We could not help feeling that, excellent thing as it might be to send out one or two of our best accountants to Egypt, it would be still more valuable to him when it appeared to us that he was about to take an unwise financial step that we should offer him our advice. The first impulse of the Government, therefore, was to counsel him not to raise money on those shares; but to give that bare advice without at the same time offering any alternative, we thought might be a course which, although it might be looked upon by His Highness as very kind and well meant, yet would at the same time be exceedingly futile. He would, perhaps, say—"I am in a position in which it is absolutely necessary for me, in order to avoid bankruptcy, to raise three or four millions of money within the next few weeks, and unless you show me some other way to do so, this is the mode in which I must proceed." Under these circumstances, we caused it to be intimated to him that if he desired to part with the shares, we should not be unwilling to enter into communications with him with the view to becoming the purchasers of them ourselves, if fair terms could be arranged. I will not trouble the Committee by going through the different stages of the transaction. The answer we received was that His Highness did not at the present moment wish to pledge the shares, but that if he should be disposed to sell them he would give the British Government the preference in the purchase. For the next 10 days we were in the constant receipt of intelligence, sometimes official, sometimes private, with reference to proposals which were being made to the Khedive for the purchase of the shares. Sometimes we were informed that the Anglo-Egyptian Bank was negotiating the purchase; sometimes the Société Générale; sometimes one thing and sometimes another; and we undoubtedly had good reason to suppose that something serious was going on with respect to them. In the meantime we did what we could to keep ourselves well informed on the subject by means of constant communication with our Consul General in Egypt. We repeated the proposal that the Government were willing to send a confidential agent, if necessary, to confer with the Khedive in regard to the shares. At length, on the 25th of November—I think it was—we received a communication which appeared to make it obvious that the matter had come to a crisis. We were informed that the Khedive had had a distinct offer of £4,000,000 for the shares, while he desired it should be intimated to us that he would give us the preference, and that we might have them at that price. I must pause here to correct a misapprehension as to a statement which has been attributed to my noble Friend the Secretary for Foreign Affairs. He was represented to have said, in "another place," that the French Government were anxious to buy those shares; but what he said was, not that the French Government, but a French Company was desirous of making the purchase. I mention this because the French Government have taken notice of the misreport, and have asked me to say that they never did propose to make such an offer. I have now come to the point when the question presented itself for decision, whether we should or should not buy them ourselves. It may be said—I have heard it said—that we were over-alarmed, and that if we had held our hands a little, nothing would have come of the whole affair. From the communications which we received, however, it was perfectly clear to us that an offer for the purchase of the shares had been made, and we felt that if we had shrunk from the purchase, and had allowed the shares to get into the hands of a foreign country, we should have been reproached by England; and, I may add, we should have reproached ourselves. There are cases in which you must, after all, trust to the judgment of somebody. I can only say that we were fully alive to the responsibility of our position. We knew we were taking a step of a very novel and a very important character. We knew it was a step which would be looked upon with a very jealous and a very critical eye. We knew, besides, that if it happened to be a step which the country did not approve, the consequences to the Government would be of a nature which I need not further indicate. But we thought we should be cowards if we were to shrink from the responsibility of fulfilling the trust which had been committed to our keeping. We did not come to a sudden decision—that is to say, we did not come to a decision the first moment this proposal was made to us without a due knowledge of the circumstances of the case. We did not come to a resolution in the course of an hour or two. We had had this question of the Suez Canal for months and years under our notice, and we had had this special crisis under our notice for a period of more than 10 days. We had at our command information enabling us fully to understand what we were about, and we arrived at our decision deliberately. Now, what were the considerations which induced us to come to that decision? It may be said that it is all very well to point out that which nobody doubted, that this Canal is a very valuable highway for our commerce, and a most important road of access to our Indian Empire; but, after all, we shall be asked, what advantage is it to our interests to have become the purchasers of these shares in the Canal? Now, in the first place, we have to look, not only at the results of the step which we have taken, but at the alternative of what would probably have been the consequences if we had not taken it. Those shares were in the market, of that we were satisfied. If we did not buy them, somebody else would; and we had to consider what would be the effect of such a purchase. It is said that we have got shares which will bring us in no dividend, and which will only give us 10 votes; but, even so, is it not something to have prevented others acquiring so large a number of shares, which they might, perhaps, split up, and be desirous of bringing to account by offering them here and there? For my own part, I do not think it would have been desirable that we should have so great a voting power suddenly thrown into the hands of we did not know whom. I do not undertake to forecast the future of this Canal. Nobody can forecast it. It has been said that it may be bought up and thrown open to the whole world. Others have said that it may be converted into an international undertaking. Well, whatever might be the case, we should have to bear the lion's share of any price that would have had to be paid for it. And so, too, we should have had to do in respect of any international expenditure in connection with it. If works had to be constructed beyond the means of the Company for keeping up this important means of international communication, we, no doubt, should have to pay that 70 per cent, or whatever it might be, which was fairly attributable to our position as customers. These are matters which we had to take into account; but, above all, we had to consider the possible political consequences of leaving the matter open. We had no intention of turning the Canal into a political engine for our own purposes, but we were very desirous not to see it used as a political engine against us. We have been asked whether we look upon this purchase as the more important with reference to a state of war or of peace, and I, in answer to that question, say that I look upon the transaction as one of great importance for preventing complications and for preserving peace. But we are told that perhaps we did right in purchasing these shares, but that we have paid too dearly for them. I should like to ask those who say this whether they mean that we paid more than the shares were worth, or more than we might have been able to get them for if we had haggled for them and offered £1,000,000 or £500,000 less than it is proposed to pay? I very much doubt, looking at the position of the Khedive, and the fact that he had an immediate necessity for this particular sum of money, whether it would have been possible to obtain the shares on lower terms than those we were asked to pay. The Khedive would say—"I must realize this amount of money somehow," and he would have gone to some one else and got it on worse terms. I will now deal with the question of whether we have made so bad a bargain as in some quarters we are told we have. The noble Lord opposite (the Marquess of Hartington) told us the other night that he had analyzed our purchase, and found that we had bought shares with a deferred interest for £2,000,000—for that was what he said they were worth in the market—and that we had lent the other £2,000,000 as a loan at an interest of 10 per cent. The process in which the noble Lord indulged reminded me of what some schoolboys do when they purchase knives—they say —"I give so much for the blade and so much for the handle." I prefer to look at the transaction as a whole; and if I have a right so to look at it, I may put the business in a light different from that in which the noble Lord regarded it. I should not be nearly as wide of the mark as was the noble Lord if I said that we have bought this valuable property at a price which will give it to us for nothing after a certain number of years; because, having agreed to pay £4,000,000 for the shares, we are to receive interest upon the purchase-money at the rate of 5 per cent per annum. If the House assents to the Vote now before it, it will in due time be my duty to propose the financial arrangements by which the purchase is to be completed. The nature of the arrangement which I shall propose will be that we should keep this transaction apart from the ordinary finance of the year; that we should raise a sum of money by means of a loan from the Commissioners of the National Debt, and that we should apply the £200,000 a-year to be received as interest on the purchase-money in payment of the interest on the loan and reduction of the principal, so that within a certain number of years—35, I think—we shall be entirely free of the payment, and shall have our property in the Canal for nothing. This will, of course, be conditional upon two things—firstly, that the Khedive continues regularly to pay his £200,000 a-year. [" Hear, hear! " *from the Opposition*]; and, secondly, that the Canal during the interval between the 19 and the 35 years continues to pay its 5 per cent of interest, which we have every reason to hope and believe will be the case. I will reply in a moment to the cheer which we heard a moment back from the benches opposite. When we are asked what we have got for our money, I reply that we have got two things. In the first place, we have got value for our money; and, in the second place, we have obtained influence in the administration of the Canal. We may be asked to explain the nature of the influence which we have acquired. To this question Lord Derby gave an answer which, perhaps, was sufficient, when he said—

> " If anybody doubts that the possessor of two-fifths of the shares in this Canal obtains no influence, it is as difficult to argue with him as with a man who says that two and two do not make four."

I must mention to the Committee that our influence will not be limited to the possession of 10 votes. The effect of this transaction has been the establishment of very friendly relations between Colonel Stokes, the representative of Her Majesty's Government, and M. de Lesseps, one result of which has been that arrangements are in progress which will, we hope, lead to a settlement of the questions connected with tonnage dues, which have caused so much agitation, and also to the introduction into the administration of the Company of three representatives of England. Something has been said about the proportion of voting power which will be possessed by these representatives as compared with that of the other persons who will take part in the administration of the Company; but I would remark that it is not merely the number of votes they may possess which will give them influence, but the fact that they will be present as the representatives of England, and, as has been well said, votes in such cases are not only counted, but weighed. Then I come to the question of whether we shall get payment of the £200,000 a-year from the Khedive. I speak with some reserve upon this question, but I venture to say that I have every reason to think and to hope that we shall; I see no reason why we should not. It is very difficult for me to say anything upon this point without referring to another matter, upon which I am obliged to touch in the present condition of affairs, but regarding which the Committee will not expect me to say much —I mean, of course, the mission of Mr. Cave to Egypt. What I shall say on this question must be spoken with an amount of reserve, but it will be stated honestly and frankly. Papers which have been presented to the House fully show the origin of that mission, which, however, I may briefly state. In October last, before this question of the purchase of the Canal shares had arisen, the Khedive made application to Her Majesty's Government for the assistance of gentlemen or of a gentleman competent to assist him in the administration of his finances, and there was a disposition on the part of the Government to assist him, if possible. Such a request was not altogether unprecedented. It may be remembered that some years ago a somewhat similar application was made by the Turkish Government, and gentlemen were sent out to advise and report upon the financial position of Turkey. We were, as I have said, not unwilling to comply with the request of the Khedive if we were able to do so in a satisfactory manner; but, of course, we felt that it would be a very delicate thing for us to send out gentlemen who might carry with them something of the financial prestige of England to mix themselves up with the financial administration of another country, and especially of a country which was in some financial difficulty. This point was considered for some time, and the Treasury, to whom the matter was referred, informed the Foreign Office that while there was every desire to give the assistance asked, it was important that they should be fully informed as to what was to be the position, the functions, and the powers of those gentlemen who might be sent out. We also took the opportunity of saying that which is a fundamental truth in these matters—namely, that if the finances of a country are to be set straight, it is not to be done by having skilful accountants to manipulate matters of detail, or by adopting the best possible methods which have been elaborated by the wisdom of countries the most advanced, but there must be a determination on the part of the Government of the country interested to conduct its affairs in a sound, honest, and rigorously economical manner. There is little hope for a country which does not act upon these principles; and we thought it essential to point out distinctly to the Khedive the nature of the conditions on which alone any gentleman could be sent out to Egypt as requested, in order that we might be satisfied that we were not sending out any one on a mere fool's errand, or in the nature of a show director of a company, and so giving a false and fictitious character to the finances of Egypt. It appeared to us that the position was one of so much delicacy and importance that it would not be at all unworthy the occasion to send out a Colleague of our own—a Gentleman of high position, great experience, and mature judgment — who would command the confidence, as we believed, both of this country and of the Ruler of Egypt. I need not say to hon. Members of this House that there was probably no man we could have selected who combines these qualities so well as my right hon. Friend (Mr. Cave). He went out on instructions which are in the hands of hon. Members, and he was received in a very favourable manner by the Khedive. He was received with great friendliness, and was treated with great frankness. He was enabled by the Khedive to inspect everything that he chose to ask for, and, as far as it is possible to form a judgment, the information given to him was full and honest. I am not going—it would be wrong for me to do so—to state in anything like detail what the result of Mr. Cave's inquiries has so far been. I do not know that it would be right, under any circumstances, that the information he has collected and the reports he has prepared for the confidential advice of the Khedive, and which he has communicated confidentially to Her Majesty's Government, should be published. The mere publication of figures would probably lead to complications and controversies which I think ought to be avoided. However, I reserve my opinion on that point. At the present moment it is impossible to give anything like the particular results of the figures; but this I may say, that the general result of Mr. Cave's inquiries convinces us of three things. It convinces us, in the first place, that the resources of Egypt are considerable—that they have been rapidly advancing and developing. In the second place, it convinces us that the financial administration of Egypt is, or has been, to a considerable extent, bad; and, thirdly, it has led us to form the opinion that if the Khedive will pursue the course pointed out in the letter to which I have referred, if he will honestly and sincerely devote himself to the control of his expenses and to the cutting off not only of all unproductive expenditure, but even to the limitation of works which might be reproductive, but which are at present beyond the extent of his capital, it would be possible for Egypt still to make the necessary arrangements to meet all her engagements, and for the Khedive to carry on his finances in a satisfactory manner. Under these circumstances, Her Majesty's Government have now to consider what course they ought to take with reference to the request made by the Khedive, and they have resolved that they will send out a gentleman of great official experience, who will go out to judge of the position which may be offered him for himself. If he considers that it is one he could usefully occupy, and in which he will be able to do justice to himself and justice to the Egyptian Government, he will resign the important office he now holds in this country, and will accept service under the Khedive, entirely as a servant of the Khedive, and not as in any way connected with the British Government. If, however, that should not prove to be so, he will return and resume the post he now occupies. I should have stated that Mr. Rivers Wilson, the able Controller General of the National Debt Office, is the gentleman who has been selected to fill the office in question. I have now stated what we have thought it right to communicate to the House. It is impossible to say more at present as to the result of this transaction. I have only now to submit to the Committee the Vote which I have placed in the hands of the Chairman. We believe that the purchase is one which has been, and will be, advantageous to all parties concerned. We believe that it will be of advantage to this country, to the Ruler of Egypt, and to the great Company with which we have now associated ourselves. Our feelings towards that great Company and its distinguished founder and leading promoters are those of entire friendliness. We desire to associate ourselves with this important undertaking. I think that England made a great mistake in her incredulity at the outset. I hope it is not too late to retrieve that error, and to associate ourselves with the Company now that it has attained a position of prosperity. We believe that the effect of our taking our proper place in this matter, no longer separating ourselves in our character as customers from our interest as shareholders—but rather, I should say, combining the character of shareholders with that of customers—will be to strengthen, and perpetuate, and ensure the duration of this great work. It is not destined to be a nine years' wonder. It is destined to be an eternal possession of the human race; and it will, I am sure, be a proud satisfaction to us if England fulfils her proper part in securing and consolidating this great enterprize.

Motion made, and Question proposed,

"That a sum, not exceeding £4,080,000 be granted to Her Majesty, to enable Her Majesty to pay the Purchase Money of the Shares which belonged to the Khedive of Egypt in the Suez Canal, and the Expenses attendant thereon, which will come in course of payment during the year ending on the 31st day of March 1876."

The Marquess of HARTINGTON: I do not rise, Sir, for the purpose of following the Chancellor of the Exchequer through the long and important statement which he has just made. I merely rise to renew an appeal which I made on Friday last to the Chancellor of the Exchequer—but, unfortunately, in the absence of the Prime Minister—that he should not ask the House to proceed at once to discuss in detail the statement of the Chancellor of the Exchequer, and take the Vote for which he asks. I think that I shall in very few words be able to show sufficiently good grounds why the request should be complied with. The right hon. Gentleman began his speech by acknowledging the difficulty which he felt in dealing with the mass of information which it would be his duty to lay before the House. Nobody complains that he has laid too much before us; but he has been as good as his word, and he has laid an immense mass of detailed information before us which was not before us previously. The right hon. Gentleman has gone not only through the history of the Suez Canal, but has given us a history of the financial position of Egypt, of the financial difficulties of the Khedive, and other information which, perhaps, was not in the possession of some of us. For the first time the right hon. Gentleman has gone into transactions as to which, I think, it would not be fair to ask the Committee hastily to express an opinion. That he has gone into all these matters with clearness and in great detail I admit; but still we have now for the first time fully stated the reasons which have induced Her Majesty's Government to take the course which they have adopted. We have been informed for the first time of the amount of representation we are to have in the direction of the Canal, and we have had laid before us, in much greater detail than were presented to us before, the reasons which induced Her Majesty's Government to send Mr. Cave upon a special mission to Egypt. I think the Committee will see that much of this is purely in the nature of new matter, and that we ought not to be required to decide upon the question before us immediately after hearing the statement of the right hon. Gentleman. It is perfectly fair when all the information upon the subject is equally before both sides of the House that Her Majesty's Government should call upon us to answer the speeches which have been made by Members of the Government; but a great deal of what has been submitted to-night is entirely new matter, and I appeal to the fairness of Her Majesty's Government not to ask the Committee to come to a hasty and premature decision. If I had not already sufficient grounds for making this appeal, I would find another reason in the short time that the Papers have been laid before us. It is not yet a week since Parliament met, and I acknowledge there has been no delay in the presentation of the Papers. The first batch were Papers of a very interesting character, but not containing a great deal which was not known before. A much larger instalment was presented on Friday, and I shall be very much surprised to hear that there are many Members of the House who have fully mastered that second instalment of Papers. At first sight they appear not to contain information of a very valuable character; but when they are examined more carefully it will be found that they show in the clearest manner the difficulties which had arisen since the Constantinople Commission—difficulties not yet settled, and which will fairly require the action of our Government with a view to remove them. We have not had long to consider those Papers; the Papers which are promised the noble Lord the Member for Westmeath (Lord Robert Montagu) are not yet on the Table; and, under all the circumstances, I can hardly imagine—although, through the courtesy of the Chancellor of the Exchequer, I have received an intimation that it is the wish of Her Majesty's Government to proceed to a vote to-night—that it will be thought reasonable, or for the interest of the public service, that a division upon so great and important a question as this should be taken hastily, and upon information so recently received.

MR. DISRAELI: Sir, so far as I can collect the feeling of the Committee it is not one favourable to the suggestion of the noble Lord. The noble Lord complains that a great mass of information is brought before the House for the first time, and it is called upon immediately to decide in reference to that. Now, in the first place, we have no wish to curtail debate. The matter is in the hands of the Committee, who can prolong the discussion until they have satisfied themselves that they are in a position to come to a final decision. Then the noble Lord has spoken vaguely about the information before the House and the great quantity of new details my right hon. Friend the Chancellor of the Exchequer has presented to the Committee, and he has protested against being called upon to vote in the matter. But really the great body of details which the Chancellor of the Exchequer necessarily in his first complete statement on the subject has afforded to the Committee to-night were details already well known to the Committee. But when the noble Lord says that it is unfair to call upon the House to give a vote without having before it the details of Mr. Cave's mission, I would remind him that the Vote before us does not involve any approbation or disapprobation of that mission. That was a subject only incidentally and collaterally introduced by my right hon. Friend the Chancellor of the Exchequer, for the more complete elucidation of the subject of which he was treating; but it was not necessarily a part of his statement, so far as regards the Vote which the Committee are called upon to give. And therefore, when we look to the gist of the complaint of the noble Lord it seems to be this—that we have been favoured to-night with details about Mr. Cave's mission, and therefore we ought not to be called upon to give a vote for the £4,000,000 for the shares of the Khedive. The two subjects, however, have no necessary connection, as I have already pointed out to the Committee, and approbation or disapprobation of Mr. Cave's mission is not involved in the Vote before us. These are the real reasons given by the noble Lord. The other reason is that the Papers moved for by the noble Lord the Member for Westmeath (Lord Robert Montagu) have not yet been laid upon the Table of the House; and when they are before us, I doubt whether they will throw any great illustration on the subject. To postpone the Vote because the bye-laws —which do not exist—of the Suez Canal Company are desired by the noble Lord the Member for Westmeath seems to me to be a reason of insufficient validity. I trust the noble Lord will not press this matter. Let us go on with the discussion. I do not ask for the Vote to-night. On the contrary, I wish the question to be thoroughly discussed. If the Committee go on to-night and should wish to adjourn the debate until to-morrow, or the day after, or the whole week, I shall not murmur. On the contrary, I should think that course would be very advantageous. But to postpone this Vote, and thus to disturb all the arrangements for Public Business which have been made is a very unusual request. And, believing that I have always shown anxiety to meet the wishes of the House of Commons, I hope and trust the noble Lord will, upon reflection, not press me to assent to a Motion which would be most inconvenient to the public service.

Mr. GLADSTONE: Sir, I was hardly prepared for the answer which the right hon. Gentleman has just given to the request of my noble Friend. He says he does not wish to have the Vote to-night if the House should think that an adjourned debate is necessary. But what the right hon. Gentleman does wish is that we should enter upon this most important discussion with insufficient information. ["No."] I am not appealing to the abstract opinion of hon. Gentlemen opposite; but I think I can show the truth of what I say. In the first place, I must say that with regard to a subject at once so novel, so important, and so complicated as this, quite irrespective of Parliamentary Papers, the House—aye, and not only that, but the minority of the House—for which the right hon. Gentleman has not so much mercy as he had in former times—is entitled to expect some time for consideration after hearing for the first time an exposition of the policy of the Government. For I maintain it is the first time the policy of the Government has been explained. All that has been said on a former occasion was by way of answer to one or two inquiries upon one or two incidental points. When important financial propositions are made on the Budget, time is always allowed for their consideration. It is quite true that these financial propositions are not known before, and that this has been. But, on the other hand, such financial propositions relate to subject-matters with which we are all conversant, and usually lie within the lines of precedent. But as my right hon. Friend the Chancellor of the Exchequer has truly said—and as all the admirers and critics of the measure have uniformly said—this is one of the most novel and unusual proceedings that have ever been submitted to Parliament. When, in bringing in the Army and Navy Estimates it happens that the exposition of any particular subject involves novelty of matter, it is the common courtesy of the Government to allow to the House and to the minority time for consideration before asking them to enter into the discussion. But this request of my noble Friend enters upon ground very much more specific. When Her Majesty's Government have called our attention to certain official Papers, and have assented to requests for the production of Papers connected with a particular question, there is an absolute right on the part of the House to request that these Papers should be in the hands of Members before the House enters upon a debate which is to end in a definite vote. Now, how does this matter stand? The Chancellor of the Exchequer has found fault with himself, and has modestly apologized for the length of his speech. Now, I confess I am more inclined to complain of its brevity. A more concise speech generally on a matter of such importance I never heard; but upon one branch of the question—and that the most vital of the whole—he said nothing, except that there was a likelihood that we should have three members sitting on the Direction—with regard to which Direction some inquisitive persons suggested an inquiry as to numbers, and that inquiry was summarily put aside. But the one thing I am anxious to know is this—What is the position into which we are to enter as shareholders? What are the legal rights that we possess as shareholders? and, what are the legal remedies to which we shall be entitled as shareholders? In what Courts and under what circumstances and conditions of law will those rights be asserted and those remedies be granted? These are at once the most important and the most difficult portions of the whole question. And upon these my right hon. Friend has not said one single word. The right hon. Gentleman at the head of the Government, taking credit for his own uniform courtesy in meeting the wishes of the House—perhaps it would have been better for him to wait for the compliment from some one else—requires, not that we shall proceed to vote to-night, but only that we shall proceed to speak to-night. But as I wish not to vote without information, so I have a considerable objection to speaking without information. Now in this matter we are shareholders. Do the Government consider that we are in possession at the present moment of all the information which we ought to have with respect to our position as shareholders? No, Sir. Turn to the Papers presented this morning, and you will find that the Government do not possess this information. Lord Derby writes to Colonel Stokes on the 6th of December—

> "Her Majesty's Government also desire that you should confer with Her Majesty's Agent and Consul-General in Egypt on the subject of the recent purchase on behalf of Great Britain, of the shares in the Suez Canal heretofore held by his Highness the Khedive, and furnish a report on the position which Her Majesty's Government will occupy as possessors of those shares."

Now, Sir, that is a Report required by Her Majesty's Government as part of the information necessary to a full understanding of the case. I have said that this information is not in their hands. I do not know whether it is or not; but it is not in our hands, and, clearly, it is right and necessary that such a Report should be in our hands. This is a question with respect to which, if nothing else, the extreme complication of its details will render it necessary to approach it in a dispassionate spirit. There is another reason for keeping this question, if we can, out of the vortex of Party discussion and dealing with it as a matter of business. We are discussing it in the face of the world. Europe has great interest in this matter, as well as ourselves; and any weakness, or passion, or unconstancy we may show in dealing with it will, undoubtedly, be severely criticized. I am sure Her Majesty's Government will not complain that this proposal was not originally received by the public as a Party question. For my part, I should have found it difficult—so far as the metropolitan Press at least was concerned—to draw a distinction between that portion which was Conservative and that which was Liberal in their—I may almost say—inflammatory approval of the measure. For my part, I must say that I am not willing to discuss the question without the information which Her Majesty's Government have pointed out to us as being an essential portion of what is requisite. The House may take its own line. It may be that the right hon. Gentleman may have estimated the intentions and views of the majority aright; but I feel it to be my duty to reserve for myself every opportunity of giving a very calm and very careful consideration to the entire subject on which the Chancellor of the Exchequer has given us so much assistance to-night; and I am very much obliged to him for it. I certainly feel unable to enter into the discussion with any advantage to the House in the condition in which this matter now stands, and our course will be a very simple one. If the Government persevere in their views, we shall have to record our respectful protest against so unusual and inconvenient a manner of proceeding. And I shall reserve the remarks I mean to make until some future stage of the discussion, when I hope the very important Papers moved for by my right hon. Friend the Member for Bradford (Mr. W. E. Forster), and the Report of Colonel Stokes, to which our attention is directed in the Papers, are on the Table of the House. I trust that time will be given for the better consideration of this question. I do seriously point out to the right hon. Gentleman that the course he proposes to take is without precedent. I am not aware in what sense it can serve the public convenience that the House should be required to enter upon this Vote when Papers, indicated by the Government and allowed to be material, have not been laid on the Table of the House.

LORD ROBERT MONTAGU entirely concurred in the view taken by the right hon. Gentleman the Member for Greenwich. There were special reasons why the debate on this question should be postponed. Without seeing the statutes of the Company and the bye-laws, which the Prime Minister said did not exist, they could not know either their rights or obligations as shareholders. If the right hon. Gentleman doubted the existence of the bye-laws, let him read the despatch written by Lord Derby, in which he urges that they should be at once sent home for the information of the Government. It was clear from the language of the concession and the resolutions of the Company, that shares purchased with a view to acquire moral influence in the administration of the Canal were illegal, and an infringement on the rights of the Sultan, who had the power of withdrawing his consent to the bargain they made with the Khedive whenever he pleased. The discussion ought therefore to be postponed till the resolutions and bye-laws of the Company were produced. The question was not as to the enormous benefit of the Canal to us—that was undoubted—but whether we were right in purchasing these shares by gambling with the people's money, of which we were the trustees. He maintained it was a stock-jobbing transaction, one stock-jobber helping another. It was like the case of an officer in the Army who, in order to support his extravagance, got into the hands of Jews. The Chancellor of the Exchequer had advanced only two arguments—first, if we had not bought the shares which gave us 10 votes at the Board they would have fallen into other hands; but if others had bought them they might have been split into a great many votes, and every owner of 25 shares, so far from attempting to shut the Canal, would have done all they could to keep it open. Their interests would have bound them to assist us in doing that which we could not do with merely 10 votes. The other argument of the Chancellor of the Exchequer was that negotiations were in progress by which he hoped to have three English directors on the Council. That only showed that the right hon. Gentleman had not taken the trouble to read the concession. If he had read it, he would have seen that M. de Lesseps was absolutely despotic. He could do what he liked, and the Board or Council could do very little indeed. There was another reason for postponing this debate. He would quote the opinion of a man who had studied this subject for 33 years and made it his own—a man who had been the political tutor of the Prime Minister in his youth, and who had since been his political Mentor—he meant Mr. David Urquhart. He asked those who were acquainted with the writings of that gentleman whether they had not seen his thoughts and arguments frequently repeated by the Prime Minister. When the words he was about to quote were written, the Chancellor of the Exchequer and Lord Derby had spoken on the subject; and what did the political Mentor of the Prime Minister say? He said—

> "The purchase of the Suez Canal shares was the act of Mr. Disraeli: we need not, therefore, attach any importance to the trivial words quoted about the transaction by other Members of the Government."

He (Lord Robert Montagu) thought they need not trouble themselves, therefore, about what the Chancellor of the Exchequer and Lord Derby said. Certainly the Firman, the concession, and the statutes of the Company ought to be produced before this discussion was allowed to proceed.

Mr. W. E. FORSTER desired to bring back the Committee to what was really the question before them—Whether the Government would or would not accede to the appeal of his noble Friend and his right hon. Friend the Member for Greenwich to postpone the discussion of this Vote till another evening? The noble Lord who had just sat down began by urging that the debate should be postponed because they were not in a position to discuss the subject; although he certainly went on to discuss it. But, looking at this matter in a business-like point of view—and they they must look at it in a business-like point of view—he did not think they had the information before them which would enable them fully to discuss it. He could understand, though he should very much regret if the Government should say that they could hardly afford to wait till they got the Reports of Mr. Cave and Colonel Stokes; but they would be in a much better position if they had them. At any rate, they had a right to ask that the documents which did exist should be placed in their hands. With regard to the statutes, he had been kindly referred by the Chancellor of the Exchequer to volumes in the Library which contained them. He had found them, and he must say they were of so much importance that they ought to be circulated to every Member of the House. He wanted to know what power we had obtained by the purchase of the shares; how far we had put ourselves into the hands of the present administration of the Canal; whether it was possible to change that administration; and how far we were bound by the resolutions of a general meeting? The Committee had a right to know to what we have given our adhesion. He was perfectly aware that the question was looked at quite otherwise than from a financial point of view; but it certainly was revolting to any man of business to be told that he was to purchase anything subject to conditions of the nature of which he was ignorant.

THE CHANCELLOR OF THE EXCHEQUER said, with respect to what had just fallen from the right hon. Gentleman and the noble Lord (Lord Robert Montagu), that it might be convenient to make a short explanation as to the bye-laws, because he thought they had been misunderstood. The circumstances were these. There were the Concessions, and accompanying the Concessions were what were called in French the *statuts* of the Company. That expression was translated in one instance "bye-laws," but there were no bye-laws. [Lord ROBERT MONTAGU said, that was what he meant; statutes or bye-laws.] These were in course of preparation. At present they were in the hands of the Foreign Office printer, and would, no doubt, be soon presented to the House. Then with regard to the resolutions, undoubtedly the shareholders were bound by the resolutions passed at the general meetings of the Company. The Company held its meetings regularly; at each meeting there was a report and certain proceedings; and, naturally, certain resolutions were passed. He had had the whole of the proceedings at the meetings since the commencement looked through, and he was told there were hardly any resolutions that were of the smallest general importance. They were, for the most part, resolutions approving of some statement of accounts, or electing directors, or other matters of no great importance; and, indeed, they could not be, because if they amounted to anything like a change of the statutes they could be of no avail without the consent of the Egyptian Government. However, directions had been given that such resolutions as appeared to have any general interest should be attached to the statutes. The matter would be pushed forward as fast as possible. He wished also to mention this. Some little time ago, one of the Legal Advisers of the Government was employed to make them a careful memorandum and *précis* of the *statuts*, and of the various questions connected with them. In that *précis* he set out shortly all the more important questions; and that Paper would be printed and delivered in the course of a day or two. It was not a very long one, and contained information that would be of great interest. It would give the Concessions, extracts from the principal articles of the statutes, the agreement, and the arbitration of the Emperor of the French.

MR. DILLWYN rose to support the appeal made from the front Opposition Bench. He did so as one who, with the information he now possessed, was altogether in favour of what the Government had done; but the Committee was not in possession of all the information it ought to have.

MR. EVELYN ASHLEY observed, that whereas the Chancellor of the Exchequer had told them in his speech that we should have little or nothing to spend on the property, we were asked to take up, he found that that view was entirely opposed to the view taken by M. de Lesseps, who knew more about the Canal than anybody else; because as he (Mr. Ashley) understood, the whole course of the disputes during the last year between the Company and the maritime powers had turned upon this—that the state of the Canal was such as would require a large expenditure to make it fit for conveying the commerce of the world. Without having the Report of Colonel Stokes before them, it was impossible for the House to deal with the statement of the Chancellor of the Exchequer.

MR. DISRAELI: I only wish to say—and I do so with some trepidation, lest I may again be accused of paying myself a compliment—that I think the predominant feeling of the House, and, indeed, the feeling of the minority, ought to be considered. I never did absolutely oppose the suggestion of the noble Lord. I only said I did not think there was any precedent for it, and I thought there should be good reasons shown in favour of it before I acceded to the suggestion of the noble Lord. Now, the business is one that cannot be delayed beyond a certain point without grave inconvenience to the public service. It has been suggested that the Vote ought to be put off until Thursday; but I myself feel that if it is to be dealt with for the reasons alleged we ought to give to its consideration as much time as possible. The statutes referred to are in the Library; but they are somewhat elaborate, and I will make every exertion to have them placed soon upon the Table. My right hon. Friend the Chancellor of the Exchequer has offered to give to the Committee what they would find very convenient—a *precis*, or synopsis, prepared by an eminent authority; and therefore, so far as the statutes are concerned, I should imagine we shall have sufficient information when the discussion comes on. With respect to what has been said about a Report of Colonel Stokes, the subject to which it would relate is at present in negotiation, and when circumstances are in negotiation, critical remarks in popular assemblies do not do much good. Therefore, I would deprecate any discussion on that subject. It would be impossible that we could produce a Report which does not yet exist, and which would embody results which I trust may be accomplished, but which have not yet been. But the other Papers we shall do our best to produce. I shall propose, then, that the debate be adjourned until this day week.

Motion *agreed to.*

Debate *adjourned* till *Monday* next.

House *resumed.*

Committee report Progress; to sit again upon *Wednesday.*

PUBLIC PETITIONS.

Ordered, That a Select Committee be appointed to whom shall be referred all Petitions presented to the House, with the exception of such as relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of Signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:—Sir Charles Forster, Mr. Kay-Shuttleworth, The O'Donoghue, Mr. O'Conor, Mr. M'Lagan, Earl De Grey, Mr. Kinnaird, Lord Arthur Russell, Mr. William Ormsby Gore, Mr. Cavendish Bentinck, Mr. Reginald Yorke, Sir Charles Russell, Mr. Sandford, Mr. Simonds, and Mr. Mulholland:—That three be the quorum.—(*Sir Charles Forster.*)

COUNCIL OF INDIA (PROFESSIONAL APPOINTMENTS) BILL.

Resolution [February 11] *reported*, and *agreed to*:—Bill *ordered* to be brought in by Mr. Raikes, Lord George Hamilton, and Mr. William Henry Smith.

Bill *presented*, and read the first time. [Bill 69.]

BURIAL GROUNDS BILL.

On Motion of Mr. John Talbot, Bill to facilitate the provision of Burial Grounds in England and Wales, *ordered* to be brought in by Mr. John Talbot, Mr. Cubitt, and Mr. Wilbraham Egerton.

Bill *presented*, and read the first time. [Bill 67,]

INDUSTRIAL AND PROVIDENT SOCIETIES BILL.

On Motion of Mr. Staveley Hill, Bill to consolidate and amend the Laws relating to Industrial and Provident Societies, *orderd* to be brought in by Mr. Staveley Hill, Mr. Cowper-Temple, and Mr. Rodwell.

Bill *presented*, and read the first time. [Bill 68.]

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) PROVISIONAL ORDERS BILL.

On Motion of Mr. William Henry Smith, Bill to confirm two Provisional Orders made under "The Drainage and Improvement of Lands (Ireland) Act, 1863," constituting the River Bride and Kilcrea and Tory Hill Drainage Districts, *ordered* to be brought in by Mr. William Henry Smith and Mr. Solicitor General for Ireland.

House adjourned at half after Seven o'clock.

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HOUSE OF LORDS,

Tuesday, 15*th February*, 1876.

Their Lordships met;—And having gone through the Business on the Paper, without debate—

House adjourned at a quarter past Five o'clock, to Thursday next, half past Five o'clock.

HOUSE OF COMMONS,

Tuesday, 15*th February,* 1876.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading*—Cheques on Bankers * [70]; Manchester Post Office * [72]; Partition Act (1868) Amendment * [73].

First Reading—Drainage and Improvement of Land (Ireland) Provisional Orders * [71].

Second Reading—Municipal Officers Superannuation * [2]; Publicans Certificates (Scotland) * [45]; County Palatine of Lancaster (Clerk of the Peace) * [53].

COMMISSION ON RAILWAY ACCIDENTS —THE REPORT.—QUESTION.

MR. SAMUELSON asked the President of the Board of Trade, Whether he is able to state when the Report of the Royal Commission on Railway Accidents, and the evidence taken before the Commission, are likely to be presented?

SIR CHARLES ADDERLEY: Sir, I have heard from Lord Aberdeen, who is Chairman of the Royal Commission since the Duke of Buckingham left for Madras, and who is in Ireland now with some of his Colleagues, that he sees no prospect of their being able to present a Report until after Easter.

FACTORY LEGISLATION (INDIA). QUESTION.

MR. ANDERSON asked the Under Secretary of State for India, in reference to his answer of the 8th of February 1875, Whether anything has yet been done, or is to be done soon, as to Factory Legislation in India?

LORD GEORGE HAMILTON: Sir, the matter at present stands thus:—In March last year a Commission was appointed in Bombay to inquire into the subject. The Commission made its Report in July, 1875, the majority being adverse to any legislation upon the subject. The President and Dr. Blaney, another member of the Commission, however, were of opinion that a simple legislative Act would be beneficial both to masters and operatives. The Government upon receiving this Report determined to make further inquiries, and the Collectors of Surat and Broach are now collecting evidence. A final Report may therefore shortly be expected, and upon that the Government of Bombay will base their action.

JUDICATURE ACT, 1873—THE SURREY ASSIZES.—QUESTION.

MR. ONSLOW asked Mr. Attorney General, If it is in contemplation to abolish the holding of assizes in the county of Surrey; and, if so, whether he will state to the House the reasons for this determination?

THE ATTORNEY GENERAL, in reply, said, that an Order in Council stated that it was not contemplated by the Judicature Act that Surrey was to be included in any circuit; but commissions were to be issued into it not less than twice a year for the discharge of civil and criminal business therein, and therefore the Assizes for that county would not be abolished.

MERCHANT SHIPPING ACTS—SCURVY ON BOARD THE "ROYAL SOVEREIGN.' QUESTION.

MR. WARD asked the President of the Board of Trade, Whether an official inquiry into the circumstances of the breaking out of scurvy on board the "Royal Sovereign" will be, or has been ordered by the Board, when and where it will be held, and whether the report will be published?

SIR CHARLES ADDERLEY, in reply, said, that a searching inquiry had been ordered at Falmouth, where the *Royal Sovereign* put in. That inquiry would be continued to-morrow in London, and the Report, when presented, would be laid upon the Table of the House, together with other Papers relating to scurvy in the Mercantile Marine, which he regretted to say had lately increased. The owners of the *Royal Sovereign* had freely placed at the disposal of the Boarb of Trade all the documents and invoices showing from whom their stores were purchased.

JUDICATURE ACT, 1873—OFFICIAL REFEREES.—QUESTION.

MR. WADDY asked the Secretary of State for the Home Department, Whether it is true that Mr. H. W. Verey has been appointed Official Referee under the provisions of the Judicature Act, 1873?

MR. ASSHETON CROSS in reply, said, he had communicated with the Lord Chancellor on the subject, and he was informed that the gentlemen who had been appointed Official Referees under the provisions of the Judicature Act were

Mr. Anderson, Q.C., one of the Examiners of the Court of Chancery; Mr. Dowdeswell, Q.C., of the Oxford Circuit; Mr. Charles Morris Roupell, of Lincoln's Inn, and Mr. H. W. Verey, of the Home Circuit.

Mr. WADDY gave Notice that on the earliest day practicable, upon going into Supply, he should call attention to the appointment of Mr. Verey, and should move a Resolution.

POST OFFICE—POSTAL RATES—GENERAL POSTAL UNION—REDUCTION OF RATES.—QUESTION.

Mr. HANKEY asked the Postmaster General, Whether it is contemplated to make any and what reduction in the postage of letters to India, the West Indies, and Australia, from one shilling and one shilling and sixpence respectively, seeing that the French Government have reduced their postage for similar distances to all their own colonies to twopence halfpenny?

Lord JOHN MANNERS: Sir, it has been settled at the recent Conference at Berne that British India shall enter the Postal Union on the 1st of July next, and, in consequence of that arrangement, the single rate of postage on letters to British India will be reduced on that day from 9*d.* *viâ* Southampton to 6*d.*, and from 1*s.* *viâ* Brindisi to 8*d.* The only alteration contemplated in the case of letters for Australia is to charge those sent *viâ* Brindisi 8*d.* instead of 9*d.* No determination has been come to as to reducing the rate to the West Indies. It is not known that the French Government have already reduced their postage on letters to the French Colonies; that postage is now generally 5*d.* for a single letter. A reduction will, it is believed, take place on the 1st of July next, but only to 4*d.*, not 2½*d.*

METROPOLIS (PAROCHIAL SYSTEM.)

RESOLUTION.

Sir WILLIAM FRASER, in rising to move—

> "That, in the opinion of this House, the parochial system is unsuitable and inadequate to the reasonable requirements of the inhabitants of the Metropolis; and that the subject deserves the best attention of Her Majesty's Government, with a view to remove by legislation the great evils which at present exist,"

said, that the Motion differed in some respects from that which he proposed last year. He now went a step further and said that the subject was one which deserved the attention of Her Majesty's Government. The history of the City of London would probably be well known to most hon. Members. Very soon after the Norman Conquest a Charter was granted which created the Corporation of the City of London; this continued to exist down to the present day. Since that time very few alterations were made in it, which showed the wisdom and foresight of those who prepared it. King James I. had a very just impression that the size of London would become so great that it would at last be unmanageable, and he wished to make some serious alteration, with a view to control its size. In the reign of King Charles II. some effort was made to bring outside wards within the municipal enclosure, and Farringdon and Bishopsgate Street Wards were accordingly included. There were also established Bills of Mortality, means of recording the deaths, and of arriving at other statistical knowledge relating to London. But the limits of the Corporation had remained to this day more or less as they were originally established. It was to London outside the walls that he wished to draw the attention of the House. In 1855 a very considerable alteration was made by Sir Benjamin Hall, subsequently Lord Llanover, who created an outside corporate system, in which there was a single body made up of various local Boards. By Sir Benjamin Hall's Act, in addition to a Council selected by the Vestries, there were local Boards which were elected by the ratepayers. How had the local Boards done their duties under the Act of 1855? The following duties were imposed upon them; they had to superintend the paving and lighting of London and the cleansing of streets; and, what was still more important, they had to inspect vaults and cellars; to prevent overcrowding of dwellings; and to appoint inspectors of nuisances and medical officers of health. Those duties, he believed, it would be acknowledged were most imperfectly performed. As regarded paving, hon. Members of the House had ocular evidence of that. If any further evidence were needed, he might quote that given before a Committee of that House in 1866 by Mr. Beal, a prominent vestryman, who said—

> "No one can look at the streets of the metropolis, particularly the back streets, without being struck by their very bad condition."

Perhaps the Vestries were not altogether to blame for the lighting, which was a fault resulting rather from the system, under which powerful companies had to be opposed by weak Vestries, so that it was not surprising that the public suffered. As to cleansing, we occasionally saw a watercart, but our roads were allowed to be in a dirty condition, and the dust was sometimes intolerable. It was the duty of Vestries to remove dust and refuse from houses. He was informed that that was extremely imperfectly done; that unless servants gave something in the shape of a bribe to dustmen, dust was not removed at all, and that it was a perpetual source of annoyance to householders. With regard to houses in Southwark, in the parish of St. George, Dr. Rendle, in his letter printed in the Appendix to the Report of Mr. Aytoun's Committee, said—"Most of the houses are, from various causes, too unclean to be safe." They could not be otherwise; water for purposes of cleanliness was almost everywhere deficient. In two houses the people said—"We are in a dreadful state; our rent has been raised from 7*s.* to 8*s.* a-week, but we can get nothing done." One woman appeared quite terrified, and assured her landlord, who was there, that she "had not informed." It is useless to expect the poor, lodgings being scarce, to speak out. "The foul smells are scarcely endurable," said one. Another said—"They do the outside, but not the inside." Of the 96 houses visited 30 stood as follows:—The water-closets were entirely without water, and there was not the least attempt at a supply, although the 18 & 19 *Vict.* c. 120, s. 81, ordered "sufficient water supply to closets." There were water closets with water supply through a straight pipe without valve or tap, and privy gases were admitted easily and directly into the drinking butt. In three places, the closets not being fit for use, the open yards were used instead. In four places the one closet for five houses was open to the observation of boys in the next street, and the soil was heaped up and running out at the door. Of the 96 houses visited 42 required the inspector; some were without any water supply, some without water receptacles, and some had rotten or broken receptacles; "they let the water out as fast as it runs in." All the houses, with two or three exceptions, were without covers to butts, and so, as one woman said, "every bit of dust and dirt comes in." These, if cleansed, would become filthy immediately, from the atmosphere in these close, filthy places, from drains and dung-heaps close at hand, from refuse, rags, and dead animals wantonly thrown by children into the open butt. In two cases the small open casks were standing in pools of liquid night-soil. In a very large number the supply was quite insufficient—15 houses with 181 inhabitants had water receptacles holding 456 gallons, 2½ gallons to each person. The 25 & 26 *Vict.*, c. 102, s. 77, ordered a supply not exceeding 30 gallons per individual. From this evidence it appeared that the Vestry did not order, or the orders were not carried out. This state of things he (Sir William Fraser) ventured to say was attributable in no small degree to the system of government which now prevailed in the metropolis. It was the opinion certainly of some of the vestrymen that in the Vestries there were persons one would not wish to see there if London was to be well governed. Meetings and elections of Vestries were, according to Mr. Beal, not unfrequently held in public-houses, and only a small number of vestrymen attended. For instance, in the parish of St. James, where there were 30,000 ratepayers, he understood, that only 25 ratepayers attended to elect the 60 vestrymen. The election of the vestrymen was conducted by a few individuals, and appeared to be a mere nominal proceeding. He thought it was well worth the attention of the Imperial Government to remove this state of things from London, which as had been said, contained more inhabitants than Portugal, Holland, and Scotland. Various schemes at different times had been proposed for the improvement of this state of things. One was to extend the power of the Lord Mayor and Corporation, and make one vast corporation of the whole of the metropolis, including about 4,000,000 souls. Another was to take the Parliamentary boroughs and make them into municipal boroughs, with mayors and common councils of their own. It was also proposed by other reformers to give the Secretary of State for the Home Department larger powers, and to place the population of London under his control. There were other schemes, but these, he thought, were the principal ones. Although the task might be difficult, he could not help believing that some scheme might be devised, not to create a Utopia, but to improve materially the condition of the inhabitants of the metropolis. He did not ask that we should attempt to make of London

> "Some faultless monster whom the world ne'er saw."

At that moment Her Majesty's Government had a very loyal majority, and the present seemed a fitting opportunity for dealing with this question. We found that greater cities had existed than the metropolis in past days. We resembled the Romans, who retained possession of the world for many centuries, not so much by their soldiers as by their admirable method of government. Like the Romans, we had but little public taste; but with regard to the power of organization, he believed no people ever existed in the world who were capable of so much organization as the British. The give-and-take—the power of forbearance must have immense influence in all municipal institutions, and the population of London were most patient and enduring. Perhaps it might be asked, if he thought things were so bad, why he did not bring in a Bill to remedy them? But for any unofficial Member of the House to carry a Bill on that subject was quite impossible. It would require the whole power of a strong Government to accomplish it. He would, however, offer two very humble suggestions, the adoption of which might somewhat lessen the existing evils. The first was to diminish the number of the parochial districts; and the second to have the central body elected, not by the vestries, but by the general body of the ratepayers. He appealed to the Government to take the matter up, and endeavour to remedy the grievances of the people of this great metropolis, who, as he had said, were more numerous than the population of Scotland, and who surely deserved that some attention should be paid to their wants. In that way the present generation might leave the local administration of London in a considerably better state than they had found it. The hon. Baronet concluded by moving the Resolution.

MR. LOCKE seconded the Motion.

Motion made, and Question proposed,

"That, in the opinion of this House, the parochial system is unsuitable and inadequate to the reasonable requirements of the inhabitants of the Metropolis; and that the subject deserves the attention of Her Majesty's Government, with a view to remove by legislation the great evils which at present exist."—(*Sir William Fraser.*)

MR. GOLDNEY said, he was induced to join in that discussion only because he had for several years past taken an active part in reference to two of the points mentioned by the hon. Baronet—namely, the supply of gas and water. He had listened to the hon. Baronet, and thought his complaints were very small and trivial in comparison with the magnitude of his Motion, and the only suggestion the hon. Baronet seemed to have to make was, that they should diminish the number of the parochial authorities. There were at present 23 parishes carrying on local administration with an average population of 100,000 each. There were and must be complaints at all times of local government, and both last year and this year the head of the Local Government Board had given notice of intended measures for its improvement. But he maintained that there were no bodies who were making greater progress than the constituted authorities now existing, and there were no Petitions from the inhabitants of the Metropolis complaining that the vestrymen were improperly elected or failed in their duty. Water had been supplied with great care to every district. He did not think that any great abuse existed if nothing more could be said than that some old lady had been called on to pay sixpence on account of her water-butt on entering upon her property. Was that a sufficient reason for coming forward to ask for a sweeping change in the government of the metropolis, a subject which had puzzled some of their greatest legislators during the last 20 years. He was satisfied that every measure that was brought forward for the improvement of the condition and comfort of the inhabitants of the metropolis would receive proper consideration from the Metropolitan Board, who had performed their duties in a very efficient manner, for the benefit of the metropolis generally, especially as regarded the supply and purity of gas. Unless more distinct complaints could be brought forward he did not think the hon. Baronet could hope for success in the prosecution of his Motion.

MR. LOCKE said, he was astonished at the charming description given by the last speaker of the admirable way in which those who supplied the public with gas and water did their duty. If everything was really so satisfactory as the hon. Gentleman said, the consumers must be very ungrateful, for they found considerable fault with those articles from time to time. He did not, however, quite understand what the hon. Baronet (Sir William Fraser) wished, for he had not pointed out any mode of setting things right if they were wrong. He was not aware that the persons whom the hon. Baronet wished to seek were not there already. There were a great many persons appointed to look after them, and to set them in a proper condition, but he did not see that his hon. Friend had shown any mode of setting things right if they were really wrong. He had looked into these matters some years back, and had considered whether by a different division of the metropolis its condition might not be improved, but the plan he had approved had not been taken up. For himself, he did not say that the Metropolitan Board of Works had not performed their duty to a certain extent, but he thought that the metropolis would be better governed if the City were extended, so as that one body should embrace the whole of London, and perform its duties without any clashing between one authority and another. The hon. Baronet had said that everything was very wicked, very shocking, and very uncomfortable, but he had not made any suggestion for remedying the evil. He left all that to the Government. It was sincerely to be hoped that whatever the Government might say or do in the matter would redound to the advantage of the community.

SIR ANDREW LUSK, speaking as the Representative of a metropolitan constituency, maintained that the work of cleansing, lighting, &c., in the metropolis was very well done indeed, considering the difficulties the Vestries and district Boards had to contend with. If any one went to his borough, he hoped not as an intending candidate for Parliamentary honours, they would find it as well paved and lighted and cleaned as the City of London. In that respect London was certainly better off than Glasgow, Manchester, or Liverpool. It was all very well for the hon. Baronet to find fault with vestrymen; but they gave much valuable time from day to day in discharging the duties of their office, and they were men, many of them of good ability, and discharged these duties in a way creditable to themselves and useful to the public. The hon. Baronet spoke slightingly of vestries because some old woman had had her water-butt empty, and some other old woman was grumbling about her dust-hole; but what scheme had the hon. Baronet to propose for the better government of the metropolis? None. The government of London was a work of immense difficulty, and for his part he would say it was—

> "Better to bear the ills we have
> Than fly to others that we know not of,"

It was easy to grumble about the way in which vestrymen and others did their work, but he should like to see any Lord or Baronet who complained of this maladministration on the part of vestries and district boards, looking after the sweeping of the streets, the dust carts, and nuisances themselves. Instead of attempting to upset the existing state of things, for which it would not be easy to devise a better, he hoped the hon. Baronet would withdraw his Motion, and leave the matter to the Government, who would no doubt do what was proper.

SIR JAMES HOGG said, he felt bound to say a few words on the subject, though he did not propose to follow the hon. Baronet into the history of the Corporation of London, which had nothing to do with the present question. The hon. Baronet contended that the parochial system was unsuitable and inadequate to the requirements of the metropolis. He (Sir James Hogg) must confess he had some difficulty in understanding what was meant by the parochial system of London, and he could not conceive how anyone who took the trouble to prepare speeches for that House could fall into such a mistake as to speak of the local management of the metropolis by that name. He was bound to take exception to much of what the hon. Baronet had stated in support of his Motion in saying that the parochial and district Boards had not fulfilled their charge in respect of paving, lighting, and cleansing. As regarded the paving, in attempting to make out a case against the authorities, he did not even bring up his statistics, but had contented himself with quoting from a Report dated as far back as 1866, and relying upon the evidence of Mr. Beal, who had made himself notorious in connection with the subject. As for the charge that some of the back streets of London were not kept in such admirable order as could be desired, it was no doubt true, and he (Sir James Hogg) hoped the Vestries concerned would do their best to improve matters. As to lighting, the hon. Baronet had some complaint to make, but said he did not blame the Vestries or district Boards. Why, then, did he bring up the question at all? The quality of the gas was not under the control of those bodies, and all they could do was to endeavour to get it as good as possible. The Metropolitan Board, for their part, had done and would do their best, in conjunction with the City of London, to improve the gas supply, and to have it placed under better regulations. Last Session he ventured to bring in three Bills, backed by the Corporation of the City and the Metropolitan Board, to deal with the subject, but, unfortunately, he did not meet with as much support as he should have liked. Two of the Bills had, therefore, to be given up, but one—the Regulation Bill —was read a second time and went before a Committee. The alterations then made upon it had been accepted by the Corporation and the Metropolitan Board, and were embodied in a Bill which he should bring before the House on the earliest possible day for the second reading. It was futile to say there was no central authority, because the Metropolitan Board was really a central authority to all intents and purposes; and although he did not wish to speak in any laudatory spirit of the work of that body, yet as a simple matter of justice he wished to show that they were striving to do their duty to the metropolis at large. The question of dust was no doubt of some importance. He had himself received many complaints about it, and he thought more attention ought to be paid to it by the various Vestries and district Boards. Whenever he received complaints of that kind, he invariably sent them to the authorities concerned, and at the same time brought them under the particular notice of the representatives of those bodies sitting at his Board. Those complaints, he believed, had received every attention, and he hoped the evil would gradually diminish. He remembered, when he held the position of a vestryman, the medical officer had reported that there were cellars and places inhabited by poor people, and in which human beings ought not to live; but if those poor people were turned out, the question was, where were they to go? Under the admirable Artizans' Dwellings Act he hoped this evil, too, would be greatly mitigated, if not entirely removed, by the combined action of the various bodies concerned. The water supply of London had been complained of. Well, it was at least a question whether it was not superior to that of many large cities and towns in England, and reports which had been made on the subject showed that, at all events, it was not the detestable compound it was said to be. The hon. Baronet said he had been informed that Vestry elections were often held in public-houses. Though he (Sir James Hogg) had himself been several times elected as a member of local Vestries, he had never heard of any such elections taking place, except at a large public building hired for the purpose. He quite agreed with the hon. Baronet that a large number of people did not attend to these matters, but that was the fault of gentlemen of intelligence and standing, who, instead of going on the local and district Boards, and giving attention to local affairs, contented themselves with finding fault with those who had to discharge that duty. The hon. Baronet proposed to diminish the parochial areas, and that the members of district Boards be elected by householders directly and not by the ratepayers only. He also suggested that members of the Central Board, meaning the Metropolitan Board, should be elected directly instead of being chosen by the Vestries and local Boards they represented. With respect to the first point there were Returns showing that the local areas were at present sufficient to ensure fair elections, while as to direct representation on the Metropolitan Board, the members who were sent there by the various local Vestries and district Boards brought with them a large amount of practical knowledge and varied experience, and did honour to the districts which sent them; and he could personally testify to the admirable manner in which they discharged their duties. Of course, it was for Her Majesty's Government to say whether a certain portion should be brought in by direct representation. The hon. Baronet said the City of London did not wish to join the Metropolitan Board on account of the debt, but he was not aware that the City had no debt. The debt of the Metropolitan Board was consolidated, and with regard to that consolidation, it was clear that it was a great public advantage in every way to have one stock at 3½ per cent, instead of having one part at 4, another at 4½, and another at 5 per cent, and all running for different periods. Since the Report to which the hon. Baronet alluded was made many of the evils referred to had been ameliorated, others were being ameliorated, and he could assure him that whenever any evils or defects were pointed out, they would be attended to, and would receive full consideration, not only from the Vestries and district Boards, but from the Metropolitan Board, who would endeavour to exercise their powers for their removal or amelioration.

MR. ASSHETON CROSS said, the hon. Baronet who had brought this matter forward had it greatly at heart, because many years ago he had it under his consideration, and had brought it before Parliament more than once. The hon. Baronet called everything he could to his aid; for, unlike the noble Lord the Member for Haddingtonshire (Lord Elcho), who brought the subject forward in the sunshine of June or July, he took advantage of the wet and snow of February. He hoped, however, he would be excused if he did not enter into any lengthened statement on the question at present. He did not gather that it was the wish of the House that they should just now discuss what would be the best form of government for the whole of the metropolis. The Motion referred to the parochial system; but the original parochial system had, to a considerable extent at all events, been changed by the legislation which led to the formation of district Boards. No one could say the present system was perfect; no one could say it might not be amended, but it was more difficult to say the best form of government to adopt. They would have in the course of the present Session several very practical points brought before them bearing on this question. If he understood rightly, they would have the great question of the water supply to the metropolis brought directly before the notice of the House, and they already had notice that they would have to discuss the whole question of the gas supply; and, further, the noble Lord the Member for Haddingtonshire would again bring forward his Bill and invite discussion upon it. When those schemes were put forward in a practical shape, he should be prepared, on behalf of the Government, to discuss them, to raise objections to them, or to say what he could in their favour, as the case might be. With all these particular schemes before them, he thought it would be better to postpone any lengthened discussion until other opportunities occurred. The hon. Baronet might be quite sure that the attention of the Government must necessarily be directed to the subject by those various measures, and he hoped, therefore, that the Motion would not be pressed to a division. It would, no doubt, be embarrassing that there should be a Resolution that this question deserved the immediate attention of the Government, and he hoped the Government would be allowed to wait until the schemes to which he referred were brought forward.

SIR WILLIAM FRASER said, although the speech of the right hon. Gentleman the Secretary of State for the Home Department was satisfactory as far as it went, yet it would have been much more satisfactory to have heard something approaching a promise not only that the attention of the Government would be directed to this subject, but that the House might hope to have something approaching to a measure dealing with the grievance. As to what had fallen from the hon. Member for Truro (Sir James Hogg), he did not think there was much to argue. He regretted to hear expressions used which they were not accustomed to, such as "futile," applied to the remarks of a

Member. Although, no doubt, there was an assembly in Spring Gardens where language of that description was sometimes heard, he trusted it would not be imported into that House.

Motion, by leave, *withdrawn.*

CHEQUES ON BANKERS BILL.

LEAVE. FIRST READING.

MR. J. G. HUBBARD, in rising to move that leave be given to bring in a Bill to explain the Law relating to Cheques or Drafts on Bankers, said, that before 1854 cheques were distinguishable from bills of exchange in several important particulars. They were payable exclusively to bearer on presentation in cash; they were unstamped, and were assignable by delivery. In 1854, however, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), in one of his Stamp Acts, assimilated with cheques to bearer cheques to order, which were to be unstamped. In 1856 legislation took place to enable the crossing upon a cheque to become an essential and integral part of the cheque itself, so that the crossed cheque became payable only through a banker. In 1858 a further change took place with regard to the stamp duties, the cheques upon bankers, whether payable to bearer or to order, were to be stamped with a penny stamp. Another clause was introduced into the Act of 1858. A banker was responsible for the genuineness of any endorsement upon a bill of exchange which was addressed to his house, and which he paid; but a banker, from the very necessity of the case, when the new instrument of which he was speaking was introduced, was exonerated from any liability as regarded the responsibility for endorsement, so that, so far as that responsibility and the stamp duty were concerned, cheques became very different documents from bills of exchange. Under the then provisions of the law those cheques to order became one of the safest and most convenient mediums of making payments, either for trade or personal purposes, and to a large extent did away with the necessity of using Bank-notes. The money for them could be received by nobody but the person for whom it was intended, for if one of those cheques fell into the hands of a thief, he could do nothing with it, being crossed to a banker, unless, indeed, which was very improbable, he happened to have a banker of his own, or a confederate who was in that position. In the event, therefore, of the cheque being presented for payment the banker would have the means of tracing the thief and bringing him to justice. Under the operation of a form of payment so convenient, not only trading operations, but personal payments or tradesmen's bills were easily dealt with, and on the cheque, when once paid and returned with the endorsement of the payee, there was a full discharge of his claim. Within the last 12 months, however, the security and convenience of that form of payment had been very rudely assailed. Mills and Co. drew a cheque for £21 on the Union Bank of London, payable to the order of Smith, who, having endorsed the cheque and crossed it with the name of his own bankers—the London and County Bank—gave it to his clerk to pay into his account. The clerk was waylaid by a thief, who stole the cheque, and passed it to a man named Thurger for £8 10*s.*, who in his turn passed it on to a person with the initial "C." a customer of the London and Westminster Bank, who paid the cheque in there, and the bank, not looking particularly to the nature of the crossing, presented it to the Clearing House, and there, equally without examining the crossing, the Union Bank by pure inadvertence paid it. Smith, when he discovered his loss, applied to the Union Bank, which he held to be responsible to him. The Union Bank, however, not unnaturally disliked to pay twice over, and said they would fight the question of responsibility. They accordingly fought it, and, unhappily for the trading community, they succeeded in the suit, which was tried in the Court of Queen's Bench, when Mr. Justice Blackburn decided that Smith, the plaintiff in the case, had no valid claim, because "C." the holder of the cheque, was a *boná fide* holder, and was, therefore, entitled to the money which he received. Against that decision there was an appeal to the Superior Court, when the judgment of the Court below was affirmed; the argument of Mr. Justice Blackburn as to the inexpediency of not restraining the negotiability of the document being there repeated, while the Judges evidently felt that there was something wrong, because they did not deny that nothing could be more distinct than the provisions of the Act of 1858, which set forth that any banker paying a cheque crossed with the name of a banker to any other banker than the person named in the crossing should be held to have done wrong. But as no penalty was attached to that provision, it was maintained that if it was intended to be anything more than a caution, it ought to be carried further by means of legislation. Now, that was what he proposed to do. The Judges in both Courts, he might add, contended that "C." must be held to be the *bonâ fide* holder, and had assumed that it was so admitted on the part of the plaintiff; but he was in possession of a statement of the attorney for the plaintiff, in which, in the most distinct terms, he repudiated the idea that his client or himself had for a moment admitted the *bonâ fide* ownership of "C." They, on the contrary, maintained that the cheque, being crossed with the name of a specific banker, constituted a warning to him which precluded him from becoming the *bonâ fide* holder. As to the question of negotiability which had been raised, he believed that it was in the case to which he referred a perfect figment. Negotiability involved the existence of a bargain, and in the case of bills of exchange there was a bargain, and the price to be given for them, therefore, became matter of negotiation. A cheque, however, was subject to no bargaining, and it was payable immediately. The only price which could be given for it was the amount which it bore upon its face. Nor were these cheques negotiable in the same way as bank notes. Bank notes passed from hand to hand without responsibility for their nominal value. Cheques were the creation of the individual for his own convenience; whereas bank notes were the creation of the sovereign power. They were paper money, and the banks which had the delegated power of issuing them paid a considerable revenue on account of that privilege into the Exchequer. If cheques were to be placed on the same footing, it would enable the individual of his own motion to do that which the banks could only do by the delegation of the State, and thus the Exchequer would be deprived of a considerable amount of revenue. To make a crossed cheque transferable like a bank note would be impolitic and destructive to the purposes for which it was created by the drawer. It was not created to pass from hand to hand, but to make a payment from his own banker to another individual. The House would, therefore, see that the negotiability stipulated for as an attribute of crossed cheques was most unreal, and, if it could be realized, would be most destructive and impolitic. Further, the drawer wanted to make a payment through his own banker to a certain individual and to get a receipt; and if it was delayed there were two risks, as the banker might fail, in which event the drawer might have to pay the money over again. The simple remedy he had to propose was—first, that a banker having paid a cheque wrongfully, in violation of the statute, should not thereby be discharged from the liability intended to be imposed upon him by the directions of the cheque; and, secondly, that he who should steal, or whose confederate should steal, a crossed cheque should not by that theft acquire a title in a document which was distinctly, from its nature and contents, not intended to pass from hand to hand. His Bill was confined to these two points, and he hoped it would receive the sanction of the House. In conclusion, the right hon. Member moved for leave to introduce the Bill.

MR. GREGORY, in seconding the Motion, expressed, as a man of business experience, his thanks to the right hon. Member for the City of London for having proposed it, as it dealt effectively with a subject of great importance to the commercial classes in this country. He regretted his right hon. Friend had not been one of the counsel in the case; for if he had been retained the result might have been different. Although, no doubt, an appeal might be preferred against the judgment of the Court, having regard to the constitution and strength of that Court, he did not think there would be much chance of such an appeal being successful. There was one point in his judgment, however, on which he might be allowed an observation. The Judges seemed to have assumed that the presenter of the cheque was a *bonâ fide* holder of it; but by the Act 21 & 22 *Vict.* it was distinctly laid down that the crossing of a cheque was an integral part of the cheque itself; and, therefore, how any person could be a *bonâ fide* holder who taking a cheque so crossed paid it to one when it was crossed to another banker he was at a loss to conceive. But for present purposes we must accept the judgment of the Court, and deal with it as we found it. He was glad to think that further legislation on the subject had been suggested by the Lord Chancellor himself. In his opinion, the Bill now introduced by his right hon. Friend was so moderate in itself, and so well calculated to remove the grievance occasioned by the judgment, that he trusted it would receive the sanction both of the House and of Her Majesty's Government.

The ATTORNEY GENERAL said, he did not desire in the least to oppose the introduction of the Bill, which might prove to be a very excellent and beneficial measure. On this point, however, he did not at present wish to pronounce any opinion. He believed that the Bill, if it were to be operative in the direction in which it was intended to be operative, must be a Bill to restrain the negotiability of crossed cheques. That might be a very wise and politic measure to introduce, and he would say nothing further on that point; but, as the decisions of the Court of Queen's Bench and the Court of Appeal seemed to have been arraigned, perhaps the House would pardon him if he made a remark or two about that. The facts of the case, which had been already detailed, were very short and simple. Mills and Co. had drawn a cheque in favour of Smith, payable to Smith's order. After Smith indorsed it, it was stolen from his clerk, and it went through a few hands, or a number of hands, until it came, as was admitted, for value, into the hands of "C." According to the view which the Courts took of the matter, that cheque could not be paid to anybody but "C." It could not be paid to Smith, and if the Union Bank of London committed an error in paying it—as they undoubtedly did—still they had not done any injury to Smith, the plaintiff in the case; because under no possible circumstances could he have recovered the amount for which the cheque was drawn. Therefore, the whole judgment of the Queen's Bench and of the Court of Appeal—over which the Lord Chancellor presided—was founded on this—that the Act of 1858 did not by its provisions restrain the negotiability of cheques — that cheques crossed in this way were negotiable, and that this particular cheque having been negotiated, Smith, who was the plaintiff, could not be damaged by its having been paid in the way it was. And now he would say a few words concerning the negotiability of a cheque. The law at present was—it might be desirable to alter it, but the law at present was—that a cheque made payable to bearer was negotiable—that was to say, it might pass from hand to hand. It was a mandate to the banker with whom the drawer had assets to pay the money to anybody who presented the cheque. So with regard to a cheque payable to order; it was a mandate to the banker to pay the money to any person who might be authorized to receive it. The meaning of negotiability was that the document passed under such circumstances from hand to hand. This was the law, and the view the Courts took was that there was nothing in the Act of Parliament which interfered with or altered the law in this respect. In his humble opinion, that view was perfectly sound and right. Reference had been made to some admissions supposed to have been made by the plaintiff's attorney or counsel with respect to the fact that "C." was a *bonâ fide* holder for value. Whether he was or not was a question of fact, with regard to which he knew nothing; but he did know that the question could not have been brought before the Court to be disposed of as a legal question unless it had been admitted or taken for granted that "C." was a *bonâ fide* holder for value; because if the question had been left at large whether "C." was a *bonâ fide* holder for value, that was a matter which would have been disposed of by a jury, and not by the Judges. Having made these remarks, he did not wish to offer the least opposition to the Bill.

Mr. FORSYTH agreed in the expediency of the Bill being brought in, though he thought that the judgment of the Court of Law ought not to be challenged. In the case referred to the proper appeal was not to the House of Commons, but to the House of Lords sitting as a judicial tribunal. It would be unfortunate if this House were to proceed on the ground that the judgment of the Court was wrong. It was better to assume that the judgment was right, and to say it was desirable to alter the law. He thought the judgment was right for technical reasons, with which he would not trouble the House; but he would endeavour to show that it was desirable to alter the law, and that this Bill would do it effectually. The law laid down was that although if a person who had a cheque given to him crossed it to a particular bank, yet if it got into the hands of a *bonâ fide* holder, the crossing of it, even if it had been stolen from the payee, would be no protection, and it might be presented through any banker for payment. That seemed to him dangerous, because the object of crossing was to prevent its being paid by any banker except the banker whose name was crossed upon it. Such a payment was, however, held to be good in the case which had been referred to. He did not agree with his right hon. Friend that cheques were not negotiable. They were. They passed from hand to hand constantly; but if they went through a dozen hands it ought to be provided that they should ultimately be paid only though the banker whose name was written across them. It was an unfortunate feature of the case under consideration that the cheque was stolen, and yet that the thief was enabled to give a *bonâ fide* title to another holder, so that by that means the latter was enabled to procure payment of the amount for which the cheque had been drawn. If the Bill which his right hon. Friend asked leave to introduce passed, the thief would not be allowed to take advantage of his theft, nor would a person who had stolen a cheque be able to give a better title to another person in respect of it than he himself possessed. By that means the inviolability of the cheque would be maintained and a panic such as the judgment in question had occasioned among the commercial community would not again occur.

SIR GEORGE BOWYER regretted that occasionally Judges started new and ingenious points which gave rise to great inconvenience. People went on with their business believing that they were acting in strict accordance with the law, when suddenly a question arose, ingenious counsel started a novel point, it was adopted by the Judge, and long-established usage and practice was at once upset. For his part, he held that a person who took a crossed cheque was party to a contract. If it was crossed to a particular banker, he agreed that he would receive payment through that particular banker, and not in any other way —the drawer having secured himself against loss by the crossing of the cheque. That appeared to be a sensible and intelligible view of the case, and when he was told that the holder of the cheque in the case alluded to was a *bonâ fide* holder, he demurred to the assertion. Even though he had given full value for the cheque, he was not, in his opinion, a *bonâ fide* holder—for this reason, that he was a purchaser with notice. He saw on the face of the cheque that it was crossed to a particular banker. That was notice to him and ought to have excited his suspicion. It was not generally negotiable. If it had been, it would be payable to bearer, and if he took the risk of accepting the cheque after notice, he had no reason to complain if he lost his money. His right hon. Friend the Member for the City of London had, he thought, done good service to the commercial community by introducing a measure which would have the effect of placing the law on the subject beyond the reach of doubt.

Motion *agreed to.*

Bill to explain the Law relating to Cheques or Drafts on Bankers, *ordered* to be brought in by Mr. HUBBARD, Mr. GOSCHEN, and Mr. TWELLS.

Bill *presented*, and read the first time. [Bill 70.]

MUNICIPAL OFFICERS SUPERANNUATION BILL—[BILL 2.]

(*Mr. Rathbone, Mr. Birley, Mr. Dixon, Mr. Cawley, Mr. Kirkman Hodgson, Mr. Torr.*)

SECOND READING.

Order for Second Reading read.

MR. RATHBONE, in moving that the Bill be now read a second time, said, he should like to quote an argument of the Chancellor of the Exchequer, founded on the recommendation of the Royal Commissioners who had been appointed to consider the subject. They reported that it was important that the mind of the Civil servant should be set at ease as to his position in case his health broke down, or that he was otherwise incapacitated; next, that when a Civil servant had spent the best part of life in the public service and was suddenly incapacitated, they thought public opinion would not allow him to starve; and thirdly—and this last was the main ground on which he based the measure—that many persons were kept in the service after they had become unfit to fulfil their duties, simply because their removal would be a hardship. Actual experience of the latter ground had shown him the necessity for some such measure as he submitted to the consideration of the House, and which he might say he did at the request of the Corporation of Liverpool. They had been told that in one Corporation the retention of officials who had been meritorious public servants and who had lost their health by their devotion to the service and were no longer able efficiently to perform their duties had cost the town no less than £70,000. He would mention one case with the circumstances of which he was personally acquainted. It was that of the medical officer of a large town who had conferred great benefits not only on the community among whom he had laboured, but on the public at large. This gentleman was just able now to carry on his work. If, however, an epidemic should break out, and if he were to break down, and was unable to discharge his duties, would not the loss to the town be ten times greater than if they provided him with a decent retiring pension? Yet it would be unfair to turn him out without some provision for his old age. The present Bill, which was supported by nearly all the Corporations in the Kingdom, provided that before a pension was granted to a public officer the approval of one of Her Majesty's principal Secretaries of State should be obtained; that the superannuation should not exceed the rate of pensions granted under the best tables to public servants; that the grant of a pension should be voluntary on the part of the Corporation or the public body; that no grant should be valid unless sanctioned by two meetings of the Council, the second of which was held at the interval of a month from the first, two-thirds of the members of the Council being present; and that the Council or public body might, if they thought fit, make arrangements to deduct certain portions of the officers' salaries or emoluments to form a fund out of which such superannuation might be paid. As the Bill also provided all necessary checks he hoped the House would consent to the second reading of the measure.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Rathbone.*)

Mr. FIELDEN said, that as he opposed the same Bill in the year 1873, he must oppose the Bill now before the House. He opposed it on the broad principle that the tendency of legislation of this kind was to treat people as children and not as grown-up men; whereas what the House ought to encourage, especially in persons in the receipt of large incomes, was a feeling of independence, self-reliance, and thrift. Now, the system of pensions and superannuations struck at all these principles. He opposed this measure also on account of the experience already obtained as to the effect of granting pensions and superannuations in the public service. If the same principles were introduced into municipal corporations, the increase of local rates would become so enormous that they would be perfectly unbearable. What had been the increase of pensions and superannuations in the public Departments during the last 30 years? In 1844 the amount of superannuations and pensions was £627,400; in 1854 it had increased to £706,400; in 1864 it was £850,300; while in 1874, according to the last Return issued, it had increased to the enormous amount of £1,080,700, an increase of £453,300 in 30 years, or at the rate of 72 per cent. Looking at its working in the public service, it was probable that if the principle were introduced into municipal corporations it would cause a great increase of rates. The fact was that the House as holding the purse-strings of the nation would be compelled to meet this matter face to face. He wanted to know, if this Bill should pass, where the principle was to stop? The hon. Member had quoted individual instances of hardship; but if we legislated on individual instances we should make bad laws, and do what the House would, individual grievances would occur. If the principle of superannuation were extended to municipal corporations, did the House suppose it would end there? If municipal corporations were excluded, all other bodies would be prevented from claiming the same privileges; but once open the door by this Bill, and why should not Boards of Guardians and Local Boards be permitted to grant superannuations? [An hon. MEMBER: Local Boards do.] He was not aware of this. They could compensate for removal from office; but Local Boards had no power to grant superannuation allowances. Other Boards, such as school boards, had been established which made heavy demands on the rates. They were told that in the metropolis alone the enormous sum of £25,000 last year had been spent in getting children out of the streets and making them go to school. If the House would remember the number of persons now employed under school boards, they would be able to estimate the drain upon the school boards if all these officials were able to claim superannuation allowances. The local rates were growing enormously, and he would ask hon. Members whether they were prepared to vote for a measure which, if carried to a logical conclusion, would add largely to the rates? In the appendix to the fourth annual Report on the Local Government Board for 1874-5 would be found a statement of the sum levied as poor rates in England — only a portion of which went to the poor, while a large proportion went to other purposes. In 1840 the amount levied under the head of poor rates in England was £6,067,400; in 1844, £6,990,100; in 1854, £7,317,900; in 1864, £9,680,400; in 1874, £12,851,000. Within the period embraced by the Returns the increase had been £6,783,000, or at the rate of 112 per cent, and he did not think it would stop there. Then, if it was proposed to give superannuation in respect to men receiving from £300 to £600 a-year, why not also superannuate the labouring man when he was broken down in health or overtaken by accident? for he did as much in his way to produce the wealth of the country as any official of a corporation. He opposed the Bill on the ground that they ought to teach the people habits of independence, self-reliance, and thrift; and, because he believed it to be opposed to that principle, he moved that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Fielden.*)

MR. THOMSON HANKEY said, that the large increase in pensions was due to a corresponding increase in the number of Civil servants and the total amount of wages; and he considered pensions to be deferred wages. The granting of pensions secured efficient services at a price lower than that at which they would be obtained if there were power to turn a man away at any time without any provision for his future maintenance; and it had been generally considered that the allowance of pensions was an advantageous method of paying for public services. The Bill did not affect the position of persons who were in the service of the Government; but the same principle was of course in existence there and elsewhere. In the Bank of England they considered that pensions were only a part of salary. They were only deferred salary; and it was considered that the service of the Bank was more efficiently and economically performed because pensions were given. This, therefore, was by no means so one-sided a question as it had been represented to be. Although manual labourers were not pensioned, they were not usually turned away after many years of faithful service; and he would appeal to the hon. Member for Derby (Mr. Bass) to say whether the men in his establishment were turned away penniless in their old age. He would also appeal to the Members of the Government to say whether the granting of pensions did not work advantageously in the public service. They were given by almost every bank and by many private establishments; and all that the Bill proposed was that the municipal service of the country should not be an exception to a salutary rule. He agreed with the hon. Member (Mr. Fielden) that every encouragement should be given to working men to lay money by. Was that not done already? Had they not their clubs to provide against calamities which might occur to them in life? He thought this Bill a wise and prudent one, and should therefore vote for the second reading.

MR. ANDERSON said, he thought the argument of the hon. Member who had last spoken was a strong one against the Bill. He also said pensions were a part of salaries, and the consequence of the passing of this Bill would be that a great number of municipal servants whose services had been fixed without any view to a pension, and consequently on a liberal scale, would put pressure upon their different municipalities to give them pensions in addition. This showed that the argument of the hon. Member cut two ways. Undoubtedly, if they gave municipalities this power of superannuation, they would open up a field for unlimited jobbery, for municipalities would be subjected to constant pressure for superannuation allowances. He would have been surprised at the hon. Member for Liverpool bringing forward this Bill, but for the fact that he brought forward the same Bill three years ago, when there was, though not a majority, a large minority against it and it failed to pass. If it were, as alleged, that the Corporation of Liverpool was anxious to superannuate one of its officers, let the Corporation bring in a Private Bill for the purpose, and not saddle the whole of the country with a jobbery Bill for superannuating all municipal officers merely to please Liverpool.

Mr. ASSHETON CROSS said, he thought he should explain to the House the vote he meant to give upon this question. He should vote for the Bill of the hon. Member for Liverpool, because his (Mr. Cross's) name was on the Bill when it was introduced in 1873. He had the misfortune to differ from the hon. Member for Yorkshire (Mr. Fielden) on is question when his name appeared on the Bill in the place of that of his lamented friend, formerly the Member for Liverpool, Mr. Graves. After the remark of the hon. Member opposite (Mr. Anderson) that this was a Liverpool Bill, it was only right that he should state to the House that a short time ago a large deputation waited upon him at the Home Office from very nearly all the municipal corporations of England, strongly pressing upon the Government to take up this measure. On the part of the Government he declined to take up the measure; but, having given his opinion three years ago that better men would be obtained for the public service, and at lower salaries, and still adhering to that view, and believing also that a great saving would be effected to the public, he should, as an individual Member, support the second reading of the Bill.

Mr. M. T. BASS said, he wished to make a remark or two on what had fallen from the hon. Member for Peterborough (Mr. Hankey) in reference to pensions for labourers. His hon. Friend doubtless knew many manufacturers who employed 2,000, 3,000, or even 5,000 men. He (Mr. Bass) employed only about 2,000; but he thought it would be hard if he were called upon one day to give pensions to every one of those 2,000 men. If the Bill were passed, he believed it would be employed for Party purposes, and that Liberals or Tories who happened to be in power in a corporation would avail themselves of the measure to grant good pensions to officers who had favoured their views. On all grounds he thought the measure a most injurious one to the public interests, and he should join the hon. Member for Yorkshire in opposing it.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 101; Noes 94: Majority 7.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday.*

PUBLICANS CERTIFICATES (SCOTLAND) BILL.—[Bill 45.]

(*Dr. Cameron, Sir Windham Anstruther, Mr. Ramsay, Mr. Mackintosh.*)

SECOND READING.

Order for Second Reading read.

Dr. CAMERON, in moving that the Bill be now read a second time, said, its object was to assimilate the law of Scotland relating to the granting of Licences to sell intoxicating Liquors to the Law of England. It was unnecessary to adduce any argument to show that the need for some reform of the licensing law had long been felt in Scotland. He believed that every Scotch Member would admit that such was the case, and he was certain the right hon. Gentleman the Secretary of State for the Home Department must have learned that it was so from the numerous deputations which from time to time had waited on him on the subject. There were two great defects in the Scotch method of granting licences for the sale of intoxicating liquors. The first of these consisted in the fact that there was an appeal from the licensing Courts to the county justices of the peace assembled in quarter sessions, and that the decisions in licensing cases of the burgh magistrates and the justices in petty sessions were liable to be overturned to any extent on appeal. The second grave defect in the Scottish system was that it permitted of canvassing and of bringing up the justices of the peace to vote in the Appeal Courts, a practice which had given rise to very great scandal. He did not propose to say anything about the latter result of the system, which was notorious; but in regard to the first-mentioned defect—that of allowing the justices in quarter sessions to overthrow the proceedings of the burgh licensing magistrates—he might state that he found from two Returns laid before the House two years ago, that in four years to which they referred, 223 licences, or one-seventh of the entire number of licences then in existence in Glasgow, were granted in that city by the justices in quarter sessions on appeal, after their refusal by the licensing magistrates of the city. Both these evils would be avoided under the English system. The first—the overturning of the decisions of the licensing magistrates—was avoided by the enactment that in the case of applications for new licences, a refusal on the part of the licensing magistrate was final. There was no appeal against their decision. The system of canvassing, which had excited so much dissatisfaction and comment in Scotland, was avoided under the English system by the institution of licensing committees, to whom was intrusted the responsibility of confirming the licences granted by the inferior Court. He proposed now to explain very briefly the working of the English system. Under it, as he had said, the local magistrates in Brewster Sessions were entitled to refuse absolutely all and any applications for new licences that might be brought before them, and no appeal existed against their decision. Each year a licensing committee of not more than 12 or less than three individuals was appointed by the quarter sessions, and to this committee was intrusted the responsibility of confirming such licences as might be granted by the inferior Courts. They could not increase the number of licences granted, because no appeal existed to them in the case of refusal; but they could restrict the number granted in case they thought the inferior Court had granted licences in too large numbers. In the burghs a joint licensing committee was intrusted with the same duties. This joint licensing committee was composed of three members nominated by the licensing committee of the county, and three members nominated by the licensing committee of the borough, and their functions were the same as those of the licensing committee of the counties. The essential difference, in fact, between the Scotch and English systems of granting licences was that the functions in Scotland of the Appellate Tribunal were, in practice, almost purely expansive, while in England they were purely restrictive. It might be asked, Why introduce all this machinery? Why not simply do away with appeals altogether? The suggestion had been made again and again by the corporations of the different towns of Scotland; but it was open to this great objection—that it would entail an alteration in the law which would seriously affect the interests of holders of existing licences, whereas by adopting the English system they would avoid the difficulty. Under the Bill before the House, the interests of the holders of existing licences would remain precisely as they now stood, and regulated by the same provisions as those that now existed. The system which had been adopted in England also possessed another advantage over the simple proposal to abolish appeals, and this advantage was that in case of the simple abolition of all appeal, the inferior Court of licensing magistrates would, if so disposed, have it in their power to grant any additional number of licences. In the working of the English system an effectual check was put upon the abuse of such a power by the existence of the licensing committees intrusted with the function of restricting the issue of licences to such a number as they might judge to be fitting. The present Bill was introduced and printed last year, so that ample time had been allowed for its discussion in Scotland. He would, therefore, ask the Government to allow it to be read a second time that evening; and, in the event of their considering it desirable that the country should express a further opinion in regard to its merits, he would postpone the

Order for going into Committee until such date as would afford ample time for full consideration. The hon. Gentleman concluded by moving that the Bill be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Dr. Cameron.*)

The LORD ADVOCATE: The Government are willing to consent to the second reading of this Bill. It originated, I believe, in a suggestion which my right hon. Friend the Secretary of State for the Home Department made in a remark to a deputation that waited upon him last year. While the principle of the Bill is, in our opinion, correct, I venture to think there are some matters of detail, which it is unnecessary to specify at present, which may admit of some improvement in Committee. If necessary, we shall propose Amendments on the Bill and give every facility for considering them.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 28th March.

OFFENCES AGAINST THE PERSON BILL.—[Bill 1.]

(*Mr. Charley, Mr. Whitwell.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Charley.*)

Mr. P. A. TAYLOR appealed to the hon. and learned Member for Salford, who had charge of the measure, not to press the Committee stage at so early a period after it had been read a second time. Under another name this Bill was in reality the Infanticide Bill of last Session, which had been opposed, and many persons then absent from the House were not, he believed, aware of the identity of the two measures. Further time, therefore, ought to be given to consider its provisions. He objected to the measure because, by diminishing the punishment for a particular class of offence, it sought to make it more probable that juries would find guilty those who were charged with that offence, which in itself was an unsound and unsatisfactory mode of legislation. When women were charged with infanticide, it was always a most painful and difficult task for juries to decide upon the case, as it was a well-known fact that women otherwise of sound mind might become absolutely irresponsible beings during and immediately after childbirth, and he therefore objected to the Bill on the ground of its too great severity, because it attempted to make juries find verdicts of guilty when they would otherwise not do so. He also objected to the Bill on the ground of its too great laxity, because when murder was proved it did not become a lesser offence when it was inflicted by a mother upon a child. He suggested to the House that it was altogether unusual that they should be asked to go into Committee upon such a Bill within a week of the opening of the Session.

Sir EDWARD WATKIN also opposed the Motion for going into Committee. He objected to the Bill because its title was misleading, because it created a new class of offence, and because it was a cruel measure, totally uncalled for by any facts before the House and the country; and he did not consider that Parliament would increase its dignity by voting for anything of the kind.

Mr. CHARLEY said, that the Bill in its present form had passed through Committee last Session, and received the approval of the House and of the Prime Minister, who stated that it was a Bill which the House desired to pass. His reason for wishing to take the Committee so early was because it was most important that the House of Lords generally should have an opportunity of considering it fully. One of the Law Lords was to take charge of the Bill. The Bill was founded on the unanimous recommendation of the Royal Commission on Capital Punishment—four of the Commissioners being Members of the existing Cabinet — the Duke of Richmond, the Earl of Derby, the First Lord of the Admiralty, and the Secretary of State for War, and another being the right hon. Gentleman the Member for Birmingham (Mr. John Bright). The Report of that Royal Commission was founded on the recommendations of many eminent Judges. The Bill had been read a second time on four occasions in this House without opposition, and the lawyers of the House, including the Recorder of the City of London, the Attorney General of the late, and the Attorney General of the present Government, and the hon. and learned Members for Durham, South Derbyshire, South Warwickshire, and Beaumaris—subject to certain Amendments—were unanimously in its favour. It was only towards the close of last Session that the measure, when it reached its final stage, experienced any opposition from the late hon. Member for Armagh (Mr. Vance), whose loss as an old and respected Member of the House they all deplored. When it was considered that out of 51 murders, 50 were infanticides, it would be seen that it was most urgent that the matter should be dealt with by law, and that could not be done except on the lines of this Bill. In his opinion, no social question was of a more pressing nature, or more deserving of the immediate attention of a reformed Parliament.

SIR EARDLEY WILMOT failed to see that any such Bill as that introduced by the hon. and learned Member for Salford was recommended in the Report of the Capital Punishment Commission. The Bill would inflict punishment unnecessarily severe. The Capital Punishment Commissioners contemplated cases where the death of the child had followed the grievous bodily harm inflicted, but here no mention was made of any death. The Bill also proposed to add a count for felonious wounding to a capital charge, but it was not right to give the jury an alternative, by which they might release themselves from finding on the charge for murder. He should to-morrow ask permission to introduce a Bill strictly following out the recommendations of the Commission, and particularly that portion of it by which the crime of infanticide could be dealt with, and therefore he appealed to the hon. and learned Member to allow his Bill to stand over for the present.

MR. LOPES also hoped that the Bill would not be pressed forward that evening, inasmuch as it would effect many alterations in the criminal law with respect to which further discussion was requisite. For his own part, he objected to piecemeal legislation on the subject of the criminal law. The chief object of the Bill was to create a new crime; but apart altogether from that, there were several of its provisions that were objectionable. One of its sections, for instance, proposed to repeal a portion of the Criminal Consolidation Acts, and for this and other reasons he should certainly oppose it.

MR. MORGAN LLOYD supported the Motion for going into Committee on the Bill. The question had been frequently and fully discussed, and all the facts connected with it freely announced. In reality, the Bill was a very simple one, although attempts had been made to mystify it. Any one who considered the present state of the law could not fail to arrive at the conclusion that an alteration was, to say the least of it, desirable. The Bill proposed to repeal the proviso contained in Section 60 of the 24 & 25 *Vict.* c. 100, which enabled a jury to find a woman guilty of concealment of birth upon an indictment for murder. Concealment of birth had nothing to do with the principal charge, and it was wrong to allow a jury to shirk the responsibility of deciding as to the offence to which the evidence pointed by finding the prisoner guilty of a different offence of which there might be but slight evidence. It was objected to the Bill that it created a new crime. But whether it were a new crime or a modification of a crime already known to the law mattered not, if it had the effect of getting rid of undue severity of the law on the one hand, and the uncertainty of conviction on the other. It was only the further development of a principle already known in the administration of the criminal law, by which a prisoner indicted for an attempt to commit a felony was not entitled to an acquittal because the evidence proved not only that he had been guilty of the attempt but also of the actual felony. At present, if on a charge of malicious wounding, the evidence proved not only that the wound was inflicted, but also caused death, the prisoner must be acquitted of that charge, but might be again indicted for murder; but under the present Bill the jury might convict of the malicious wounding though death might have been caused thereby, and the prisoner could not again be indicted for murder in respect of the same facts. That he believed to be a real improvement in the law. It lessened its severity, and rendered convictions more certain.

THE ATTORNEY GENERAL joined in the appeal made to his hon. and learned Friend the Member for Salford not to press on the measure at once, but to allow time for its consideration. His opinion was mainly in favour of the Bill, which, he thought, might in Committee be made a very useful measure. The subject with which the Bill dealt was of a very subtle character, and it required an intimate knowledge of the criminal law to enable hon. Members to understand it thoroughly. He believed if his hon. and learned Friend would yield to the appeal made to him from both sides of the House, he would find in the course of a short time that hon. Members would become well acquainted with the subject, and they would then see that the Bill was not deserving of the epithets which the hon. Member for Leicester (Mr. P. A. Taylor) had used towards it. He therefore joined in the appeal for a postponement.

Mr. CHARLEY said, he had no desire to press the Bill with undue haste. His reason for bringing the measure forward so early in the Session was that last year it was kept in a state of suspended animation for two months, awaiting the third reading, and was at length dropped because there was not sufficient time left for its passage through the other House. In consequence of the appeal which had been made to him he would willingly postpone the Committee stage.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Friday.*

COUNTY PALATINE OF LANCASTER (CLERK OF THE PEACE) BILL.

(*Mr. Hardcastle, Mr. Holt, Mr. Clifton.*)

[BILL 53.] SECOND READING.

Order for Second Reading read.

Mr. HARDCASTLE, in moving that the Bill be now read a second time, explained that from time immemorial the office of clerk of the peace of the County Palatine had been a sinecure, the duties being entirely performed by deputy; but in 1872 an Act of Parliament was passed by which, on the death of the then occupant of the office, who was still living, the sinecure clerkship was to be done away with, and a really active clerk of the peace appointed, and it was provided, in addition, that there should be two deputy clerks of the peace appointed by the Chancellor of the Duchy. The magistrates of the county, however, were unanimously of opinion that this last provision would not work well; that the two deputies appointed by the Chancellor would be practically independent local clerks of the peace, with whom the magistrates would have to deal instead of with one head clerk, and that there would necessarily be a divided responsibility which would be attended with great inconvenience both as regarded the criminal and civil business of the county. The Bill now before the House had been brought in with the approval of the justices, and it sought to repeal the clause empowering the Chancellor of the Duchy to appoint deputy clerks of the peace, and to enact that the appointment of those officers should be intrusted to the clerk of the peace himself, as was the case in all other counties.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hardcastle.*)

Mr. RATHBONE denied that any inconvenience had been shown to exist sufficient to justify a change in the present law, which was the result of a compromise, and was, he considered, a step in the right direction. It was a mistake to think that the sub-division of business which the hon. Member complained of did not exist in other counties. In Yorkshire the business of the county was much sub-divided, and it was the opinion of many able magistrates that subdivision should be carried to a greater extent in Lancashire also. The point to which the present Bill applied was, he admitted, not one of great public importance; but inasmuch as no adequate reasons had been assigned for changing the law, he moved that the Bill be read a second time that day six months.

Mr. TORR seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Rathbone.*)

Mr. ASSHETON supported the second reading, and stated that in 1875 the whole of the magistrates of Lancashire assembled at Preston and unanimously agreed to promote this Bill.

SIR EDWARD WATKIN, as a magistrate of Lancashire, felt bound to say that a large majority of the magistrates were anxious that the Bill should be passed.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 29th February.

MANCHESTER POST OFFICE BILL.

On Motion of Mr. WILLIAM HENRY SMITH, Bill to enable Her Majesty's Postmaster General to acquire a site for the extension of the Manchester General Post Office, *ordered* to be brought in by Mr. WILLIAM HENRY SMITH and Lord JOHN MANNERS.

Bill *presented,* and read the first time. [Bill 72.]

PARTITION ACT (1868) AMENDMENT BILL.

On Motion of Sir HENRY JACKSON, Bill to amend "The Partition Act, 1868," *ordered* to be brought in by Sir HENRY JACKSON and Mr. ALFRED MARTEN.

Bill *presented,* and read the first time. [Bill 73.]

House adjourned at a quarter after Eight o'clock.

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HOUSE OF COMMONS,

Wednesday, 16*th February,* 1876.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading*—Valuation of Property (Metropolis) Act (1869) Amendment [74]; Homicide Law Amendment [75]; Toll Bridges (River Thames) * [77]; Mercantile Marine Hospital Service * [76].

Second Reading—Increase of the Episcopate [11], *debate adjourned.*

INCREASE OF THE EPISCOPATE BILL—[BILL 11.]

(*Mr. Beresford Hope.*)

SECOND READING.

Order for Second Reading read.

MR. BERESFORD HOPE, in moving that the Bill be now read the second time, said: Mr. Speaker, I should have felt oppressed by the responsibility of so very grave a question having devolved upon a private Member, if it had not been for the remarkable history of a measure as to which I am, however unworthy, the mouthpiece of a preponderating public opinion—which sweeps in Churchmen generally, the entire Episcopate, the clergy, and, all but completely, the Government of the day. For this reason I can move the second reading of the Bill before the House with a great deal of confidence, even in the face of the extraordinary array of opposition which is to be brought against me. Many a man has trembled before a single opponent; but I have to deal with a three-headed opposition. First, there is, politically, my stern antagonist—personally, my hon. Friend in every way—the Member for Swansea (Mr. Dillwyn). Then there is my hon. and learned, but candid Friend, the Member for Gloucester (Mr. Monk), who wants what I want, only when it is offered to him he will not take it in the way I present it to him. Lastly, there is my hon. and gallant, but incomprehensible, Friend, the Member for West Sussex (Sir Walter Barttelot). In fact, Sir, it is not the "dogs of war," but the Cerberus of war that has been "let slip" upon me, while, as I learn, both hon. and learned Gentlemen have given place to the hon. and gallant Baronet—*cedant armis togæ.* I will not take up the time of the House by any arguments to show that an increase of the Episcopate is absolutely, I will not say essential, but most desirable for the well-being of the Church of England: that is a proposition which is accepted by everyone who wishes well to that Church. In some form or other, an increase of the Episcopate is most desirable. One single fact of itself proves that. The population of England has doubled during this century, and it is now five-fold what it was in the reign of King Henry VIII., and positively there has not been the addition of a single Bishop to the Episcopal bench since that time. It is true that we have gained Ripon and Manchester; but we have lost Bristol and Westminster.

This growing disproportion was recognized by a Bill which passed through both Houses of Parliament in 1869 for the creation of three additional Sees, and which only fell through at the latest stage; but the Bill which I am bringing forward is founded originally upon the Report of one of the most grave and important Commissions that ever sat on ecclesiastical matters — the Cathedral Commission — which was appointed in the year 1852, and which made its final Report in 1856. That Commission was appointed by the Conservative Government of the day, the first in which the present Prime Minister was Leader of this House, and in which my right hon. Colleague and Friend was Home Secretary, so that to him the Church owes a special debt of gratitude, which can hardly be sufficiently estimated, for having promoted the appointment of that Commission. The machinery for the creation of fresh Bishoprics, which the Commissioners recommended, is that which is embodied in the present measure. Twenty years further on, in 1872, a scheme similar to mine was recommended by a body which, however some people may say ought to be reformed, is, at the least, the most influential Committee of the clergy in the Country — the Convocation of the Province of Canterbury. That body, in 1872, put out a Report recommending a similar Bill. In the meantime, a strong demonstration had been made in favour of an increase of the Episcopate, in the shape of lay and clerical Memorials which were adopted in the year 1862, the clerical Memorial to Convocation having actually 6,000 signatures appended to it, whilst the names to the lay Memorial to Lord Palmerston included those of the present Prime Minister, of the present Lord Chancellor, the present Chancellor of the Exchequer, the present First Lord of the Admiralty, the present Postmaster General, and the hon. and gallant Baronet the Member for West Sussex.

Such were the circumstances under which, in the year 1873, the question was again revived. My noble Friend, Lord Lyttelton, undertook to introduce the Bill in "another place," and adopted the wise precaution of writing round to the Bench of Bishops, to ask if they stood to the recommendations of Convocation of the year before, and all of them, with two or three exceptions only, answered "Yes;" so that the Bill which I now bring forward has the direct and written approbation of almost the entire Episcopate. Besides these, about 450 rural deaneries — that is, the representation of nearly the entire Church in England—declared themselves in favour of an increase of the Episcopate. So armed, Lord Lyttelton was ready to have moved in 1874, but the Dissolution led him to postpone action. However, he brought in this Bill in "another place," at the beginning of the last Session of Parliament, and the result was that it passed through every stage without a single Division, and with only one Amendment, which was a very marked improvement in it, and to which I shall have occasion to call attention when I come to the details of the Bill. It went through without a single Division; but its career was not without debate; and I may read the words of one for whom we all entertain a very great and sincere respect—the present very eminent and respected Archbishop of Canterbury. On the second reading of the Bill "elsewhere," on the 23rd of February, 1875, the Archbishop began his speech with these words—

> "The noble Lord (Lord Lyttelton) has brought before us a very important practical question."

I pray the attention of the House to that word "practical"—it is in the eyes of the Archbishop, not a vague, but a "practical question"—and, continued the Archbishop—

> "I should not be doing my duty if I did not, in fulfilment of the pledge I have given to him, express my hearty concurrence in the measure he has brought forward."—[3 *Hansard*, ccxxii. 733.]

So that I am bringing forward a Bill which has the "hearty concurrence" of the Archbishop of Canterbury. The third reading of the Bill was taken on the 16th of March, and on that occasion the noble Duke (the Duke of Richmond and Gordon) who so ably represents Her Majesty's Government in that exalted Assembly, said—

> "The Government did not think it right to accept the responsibility of the measure, but, as he had stated, they did not oppose it." [*Ibid.*, 1867.]

The Government did not oppose the measure. Considering what the Bill is, I think I may claim that this is one of the cases in which it may be truly said that those who are not against us are with us. If Her Majesty's Government did not oppose so important a Bill as this, though brought in upon private responsibility, we may conclude that it went very near indeed towards approving of it.

That ends the history of the Bill "elsewhere." I was then invited to take it up in this House. There was a debate on the second reading, when a hearty speech was made in its favour by my right hon. Friend the Secretary of State for War. The House was ready to have divided on the main question, when three Divisions were taken on Motions of Adjournment, which were meant to obstruct, if not to prevent the passing of the Bill, and there were in each case decided majorities on the side of the supporters of the measure, which, as everyone knew represented the division of opinion within the House on the question itself. I would call the attention of the Treasury Bench to my reason for not moving the second reading till the month of May, though the Bill had passed the House of Lords in March. In the meantime, Her Majesty's Government had brought in the St. Albans Bishopric Bill. I was, therefore, anxious not to interpose, even, a seeming obstacle to the passage of that measure. I might have pressed forward my Bill with a better chance of its passing; but as Her Majesty's Government had made their contribution—a small and local one, it is true, yet a tangible one—to the increase of the Episcopate, I determined not to stand in their light, and the result was that, in helping them with their Bill, I lost the opportunity of carrying my own that Session. That is the reason for the course I then took, while I believed that, as I had helped them, so I have a right to look for their help. And here I may state that I do not look upon any Bill for creating single Sees—be it for Cornwall, or Liverpool, or Halifax, or any other place—as in any way antagonistic to my measure. It will, as I shall proceed to show, make all such special Bills wholly unnecessary; and if Her Majesty's Government, or anyone else, pleases to bring in such special Bills they will have my support. It will, at any rate be an addition to the Episcopate. It will not be a general measure; and a general measure will remain as much a necessity as ever for the great margin of country which the special Bills have not covered. I put the Bill often on the Notice Paper, and the oftener I did so the more vexed seemed my hon. Friend the Member for Swansea at the zeal on my part to give him the opportunity, which I thought would be gratifying to him, of letting us know what he thought of the measure. So we came on the end of the Session, and the two last divisions of that Session were upon this Bill, as will be the second one of the present Session. In fact, the two Bills have followed each other so rapidly that we may look upon them as almost the realization of the day-dream of the Reformers of our Parliamentary procedure, who wish to carry on the unfinished Business of one Session into another. The second of these two last divisions was on the Main Question, and that was carried by 54 to 23, or a majority of more than two to one. Here I have to express my thanks to the Members of Her Majesty's Government in this House for the large and satisfactory numbers in which they appeared in those five divisions. The great majority of the Members of the Government having seats in this House voted for me from one to five times; and not one voted against me. It would be invidious to mention names; only I may say that, among those Members of the Government were the four Law Officers of the Crown then in Parliament, of whom the present Attorney General appeared not less than five times. I cite that fact as an answer to those who try to make out that the Bill I bring forward is a vague and an unworkable measure. I do not believe that the Law Officers of any Government in Parliament would all of them have voted for a Bill, if they were not fully satisfied that it was one that would work consistently with the statute law of the Realm.

This is the history of the Bill down to the close of the Session of 1875; and with such antecedents I have this year no option but to bring in the Bill *literatim* as it passed the House of Lords, and made some progress in this House last year. It would be disrespectful to those who then gave it their support; it would be disrespectful to the Archbishop of Canterbury; it would be disrespectful to Her Majesty's Government; above all, it would be disrespectful to this House, if I had not given it an opportunity of considering the Bill, line for line and word for word, in the form in which it received the approval of the House last Session. Having done so, I discharge my duty in moving that the Bill be read a second time to-day. It will then come under the scrutiny of a

Committee of the Whole House; and in reference to that, I wish to say that I am open to consider in the most candid and friendly spirit any Amendment that may be suggested, whether it comes from one side of the House or the other. I am not irrevocably wedded to the Bill in the shape in which it stands, though I think I can give adequate reasons why it should pass in that shape. My only wish and desire will be to send it to "another place," and to help it on to the Statute Book, in as perfect and useful a shape as it can be possibly made to assume. I suppose that the House is sufficiently familiar with the general outline of the Bill. It is emphatically an enabling Bill. It is not a Bill to make one or more specific Sees. It is simply a Bill to provide an easier and cheaper machinery whereby, through private munificence, a larger number of Sees may be created than at present exist; and for that purpose, it brings into play the machinery which is most familiar to us in connection with questions relating to the Church—the Ecclesiastical Commission, who will have to prepare the scheme and to see that the funds provided by private munificence are sufficient to put the scheme in operation consistently with the present framework of the Episcopate. The Ecclesiastical Commission is prevented from giving any money for the creation of a new See; and before it can promote a scheme, it must be satisfied that there is money enough forthcoming to carry out the object. Then the scheme has to go before the Queen in Council, and afterwards it will have to be for a certain time upon the Table of both Houses. All possible safeguards are provided against abuse: in fact, the Bill bristles with safeguards, against any risk of its tending to scatter Bishoprics broadcast over the land. There is one provision and only one in respect of which the Bill came out of the House of Lords in a form different from that in which it was introduced there—that is the clause which we owe to a right rev. Prelate, whose zeal and energy every one will gladly admit, the very able, active and devoted Bishop of Exeter. Those who are familiar with the history of the re-arrangement of Sees initiated by Sir Robert Peel know that with a few exceptions, the incomes of all the Bishoprics have been fixed at between £5,000 and £4,200 in view of the supposed expensiveness, in the way of outgoings in each diocese. Clause 11 of the Bill allows a Bishop to alienate a portion of his income towards a new See to be carried out of his diocese, while no doubt there is an understanding that this concession should not be taken to allow of a diminution below the lowest existing figure. Nothing could be more reasonable, safe and conservative than this provision so limited. Some persons may think that £3,000 or £3,500 a-year would be enough to maintain a Bishop in his social rank and position. I am not here either to contest or to support that opinion. My Bill contains nothing which can be used for or against it, for it leaves the question of the sufficient income to the action of the executive authorities in each particular case.

This, then, is the Bill which has been called a vague one, because it does not recite any particular Sees to be created. Why, I never heard of such a misuse of a word as of this word "vague" in the present instance. What is it, let me ask, that has produced the extraordinary development of church building, the creation of new parishes and new endowments, followed by the erection of thousands of schools all over the country? Why, the series of Church Building Acts which have been passed from time to time since 1818, every one of which is a vague Act in the sense in which the term has been applied to my Bill. It is vague, simply because it does not recite new Sees to be created. It says that, where there is a proved grievance, the proved grievance may be met and remedied under certain well-considered conditions; and it brings in the highest authorities in State and Church as umpires and arbiters to decide whether a want is proved, and the remedy proposed is a proper one. So far as the Forms of the House will allow me to do so, I call as my witness to the efficiency of the Bill a Return which was ordered in "another place" at the instance of one who was long well known in this House as Sir John Pakington, now Lord Hampton, of churches built or restored at a cost exceeding £500 since 1840. That Return shows that millions upon millions have been given to the Church by private hands in the way of building and restoration. Who can doubt that this material, enormous increase of Church property owes its direct impulse to those vague

Church Building Acts; so, to put the matter on the most practical basis, I do not see why this "vague" Bill of mine should not produce analogous results in the multiplication of the higher pastorate—the Episcopate of the Church of England. At the same time, as I have said, I am willing, and not only willing, but anxious, to consider any friendly Amendments which may be proposed in Committee; not Amendments which, like the kiss and the sword of Joab are intended to smite the Bill, as it were, under the fifth rib; but such Amendments as are honestly proposed to make it more efficient and useful. And here I would call the attention of the Treasury Bench to one Amendment that has occurred to me as being perfectly consistent with the intention and object of the Bill, which would neither cripple its efficiency, nor stiffen its elasticity, whilst it would give full effect to all its beneficial intentions. One mischievous result which my hon. and gallant Friend the Member for West Sussex may anticipate, is the creation of Bishoprics without areas or populations sufficient to justify the proceeding. Now, in reference to that point, I have no objection to insert a Proviso that no new See shall be created of a less area than an entire county, or some portion of a county, with a given minimum of population, it being further provided that the residuary See or Sees should fulfil the same conditions. In short, the whole county of Northumberland, or a substantive portion of the West Riding of Yorkshire, might be made a a new Bishopric; but it would be impossible to tender a scheme for a new See in the shape of a circle of 10 miles round a favoured spot, the Bishop of which would be something like the private chaplain of the munificent and magnificent founder. It would be a misfortune if the Bill were to be worked in that way; but although there are, as I believe, already, ample safeguards in it against the occurrence of such an abuse, I have no objection to meet the wish for a precise enactment, by providing that there shall be such minimum of area and of population. It may be a healing balm for my hon. and gallant Friend, that, under this Proviso, he need not be afraid of being over-Bishoped in his county of Sussex. You could not cut up that county into new Bishoprics until Brighton, Eastbourne, Hastings and other towns had grown much larger than they are at present, or to such a size as they are not likely to reach in our life-time. There is another provision which has been suggested to meet the case—that of a Schedule to the Bill specifying the new Sees which are to be created. Candidly, I must say that I do not think such a provision would be so desirable as the suggestion which I have just thrown out. In the first place, such a provision would, as it seems to me, ignore the element of human nature; for the Bill appeals to private munificence, and we all know the justifiable pride which a man takes in being the originator of a great and good work; it appears to me, therefore, that if there were a Schedule of the kind attached to the Bill, it would be very likely to take away the personal glory of initiating new Sees. That is my first objection to a Schedule. My other objection is less sentimental and more practical in its character. I think you would find yourselves in a great difficulty when you came to arrange the Schedule and define the places where new Sees should be created. You do not want to be bringing in a Bill every successive Parliament; and if the Schedule is to be a comprehensive one, its framers would have to forecast the condition of England 40 or 50 years hence, and I think that a complete Schedule of all the Sees which it would be a desirable thing to possess, say, in the year 1900, would rather startle the House, and make it think that the measure was a more speculative one than it really was. On the other hand, if your Schedule was a small one, how could you choose between pretty equal claimants? This is my second objection to the Schedule. In the present condition of England, with Durham having a population that approaches to 700,000; with Northumberland approaching to 400,000; the West Riding of Yorkshire nearing 2,000,000; our rural Warwickshire—the forest-land of Shakspeare and the Elizabethan poets — now inhabited by a great teeming population, town and country, of nearly 700,000; my own county of Stafford, with a population rising 900,000; with an aspect so varied as the Black Country in the south and the mountain district in the north, where you may fancy yourselves on the Moors of Scotland; Derby, with its 400,000 people, and Nottingham with its 300,000; with all these claims upon you, how, I ask, could you make your selection? Any selection of seats for new Bishoprics must be invidious. If, then, all parts of the country are to be gratified, you had better follow the principle which has governed appointments to the public service for so many years, and let there be a competitive examination. Have your enabling Bill, and let those localities have new Sees which show, by their energy and munificence, that they are most deserving of them. I have now stated the grounds upon which I doubt the expediency of a Bill with a Schedule, though I think that a Bill with a well-considered Schedule would be better than no Bill at all. But an enabling Bill, such as that which I am moving, with a limitation of area and population, such as I now submit to the House, would be a more elastic, and, I believe, quite as efficacious a way of working the matter. The hon. Gentleman concluded by moving the second reading of the Bill.

Sir JOHN KENNAWAY seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Beresford Hope.*)

Sir WALTER BARTTELOT, in rising, according to Notice, to move the Previous Question, said he had to thank the hon. Members for Swansea (Mr. Dillwyn) and for Gloucester (Mr. Monk) for having kindly given way to him on the present occasion. He humbly ventured to think that by moving the Previous Question he best met the requirements of the present case. The hon. Member for Cambridge University (Mr. Beresford Hope) had described his Bill as one for increasing the Episcopate; but his (Sir Walter Barttelot's) Amendment was by no means directed against that object, and the hon. Member was perfectly accurate when he said that he who now moved the Previous Question was in favour of the increase of the Episcopate in 1873. He was not only in favour of increasing the Episcopate in 1873, but he was of that opinion at the present moment. [Mr. Heygate: Then why oppose the Bill?] His hon. Friend said, then why oppose the Bill? and his answer was, he opposed it because he thought it a very bad one; but his hon. Friend could get up and support it if he thought proper. He (Sir Walter Barttelot) thought that the Government possessed ample power to increase the Episcopate by bringing in a Bill for that purpose whenever they thought it necessary to take such a step. He had shown what his opinion was on this question of the increase of the Episcopate by the vote in favour of the St. Albans Bill, which was carried by a majority of 273 against the minority of 61, who voted with the hon. Member for Merthyr (Mr. H. Richard) on his Motion for its rejection. The result of that decision showed that the general opinion of the House was strongly in favour of an increase in the Episcopate, when it was clearly shown by those who were responsible in that House for the management—he would say boldly—of the affairs relating to the Church, and whose duty it was to introduce Bills upon this important subject, that it was desirable that such an increase should be made. The hon. Member had in his speech modified his Bill very materially, and finding that it was too loosely drawn he was prepared, should the measure get into Committee, to move some important Amendments in it, and thus reduce his scheme to one which might be brought in by the Government for erecting a new Bishopric. If the Bill was not intended to create a number of new Bishoprics, the matter had better be left in the hands of the Government rather than of the Ecclesiastical Commissioners. What had been the history of this Bill? It was perfectly true that it had come down to the House from "another place" last year; but it could scarcely be said that it had met with an enthusiastic reception in that "other place;" indeed, its reception was of the coldest character possible, and to show that the hon. Member had been afraid of the position of the Bill he had, he would not say used un-Parliamentary language, because in his most courteous speech, he had stated the case most fairly, fully, and frankly, but he had taken a step with regard to the second reading of the Bill which he regretted, and which the hon. Member himself would regret when he came to look back upon it. He denied that the great majority of the people in this country were in favour of the Bill, although no doubt those who had considered the matter would be in favour of an increase in the Episcopate, His hon. Friend the Member for West Kent (Mr. J. G. Talbot) had inserted in a local newspaper, which circulated in three counties, under different headings, a notice asking for Petitions in favour of this Bill, but it appeared to have met with no response. He wanted to know where were the Petitions which were to show that the majority of the people in this country were in favour of the measure? It was impossible in a matter of this kind to separate the laity from the clergy, and it would be most mischievous to attempt to do so. The laity were willing to work hand and heart with the clergy of the church, but the clergy must bow to the decision of that House, and it was for that House and the people, and not merely for the clergy, to say when Bills of this character were brought in, whether they ought to pass or not. He objected to this measure, because it proposed to place in the hands of the Ecclesiastical Commissioners a power which he did not think should be intrusted to them. He had every respect for his right hon. Friend (Mr. Mowbray) sitting on his left, and for the Body to which he belonged, but he doubted whether the Ecclesiastical Commissioners would desire to have this grave and important responsibility of deciding what new Bishoprics should be created thrust upon them; because if they accepted it, they would have schemes without number from all sorts of places pressed upon them, and they would never be free from importunity of one kind or another. The hon. Member for Cambridge University said he (Sir Walter Barttelot) ought to be satisfied with this Bill, because under it Sussex could not be divided into different dioceses; but, as the Bill now stood, if Brighton were to raise the necessary funds, and were to ask to be made the seat of a new Bishopric, there was nothing in the Bill to prevent the Ecclesiastical Commissioners from acceding to the proposal. Was it wise to give the Ecclesiastical Commissioners power to create an enormous number of Bishoprics? True it was that the hon. Member proposed that the schemes should lie upon the Table of the House for 42 days before they came into force; but surely that in itself would give rise to much evil, inasmuch as it would afford an opportunity for those who were opposed to the Church to say much in its disparagement. In his opinion, it would be better to let things go on as they were, because no good would result from thus tampering with the old constitution of the Church, which had done such wonders in the land during the last 300 years. He objected to the Ecclesiastical Commissioners having power to divide the present Sees, and to parcel out the old historic Bishoprics of this country. It would be preposterous, monstrous, and most mischievous if it were easier to set up a new Diocese than to procure the inclosure of a common. He had heard with surprise the hon. Member state that there was a provision in the Bill that no Bishopric that was created or that was divided should have a less income attached to it than £4,200, for, as he read the measure, there was nothing in it to prevent the Ecclesiastical Commissioners from creating a Bishopric with an income of £1,500, or even less. Another objectionable feature in the Bill was the clause that provided that the new Bishops to be created under this Bill were not to have seats in the House of Lords until after the lapse of a certain time. The result of that provision would be that they would not get into the Upper House until they were too old to be of any practical use there, and such a circumstance would go far to justify those who sought to exclude the Bishops from the House of Lords. Having thus touched upon some of the chief objections to the measure, he now asked whether there was any necessity for such a measure as this at all? For his own part, he was ignorant that there was any universal demand for the large increase in the Episcopate which this Bill was intended to provide for. Her Majesty's Government, he need scarcely say, would meet with the most cordial support in the event of their introducing a measure for the increase of the Episcopate in particular cases; they had already created one new Bishopric, and they were now prepared to bring in Bills to create new Dioceses in Cornwall and Yorkshire, but he was of opinion that such Bills should be brought in on the responsibility of the Government alone. When the hon. Member referred to the necessity that existed for creating a new Bishopric for Northumberland, he appeared to forget that a Conservative Government would not refuse to take all necessary steps that the interests of the Church might require. In the belief, therefore, that the sure, sound, and honest way to deal with this question was to call upon the Government to fulfil their duties in the matter, which they were prepared and were willing to perform; and in the belief that this Bill was unnecessary and mischievous, he begged to move the Amendment that stood in his name.

MR. MONK, in rising to second the Amendment, said, he entirely adopted the principle that underlay it—namely, that any Bill on the subject should be introduced by Her Majesty's Government. Provided the necessity for it were shown, he was by no means opposed to the increase in the Episcopate, as his vote on the St. Albans Bill of last year sufficiently proved; but he objected altogether to placing in the hands of a body like the Ecclesiastical Commissioners, for whom personally he had the highest respect, a sort of roving Commission for making new Bishoprics and dividing Sees over the length and breadth of the land. There might have been a good excuse for the noble Lord (Lord Lyttleton) who introduced this measure into the House of Lords last year, because then there was a general desire among Churchmen that certain Sees, such as those of Rochester and Winchester, should be divided, and there were no means for doing so; but that desire had been met by the introduction of the St. Albans Bill, which was admitted on all hands to be a good measure, and one calculated to fulfil the object in view. In his opinion, as he had said, the responsibility of bringing forward schemes for the creation of new Sees should rest with the Government. The hon. Member for Cambridge University had told the House that there was a preponderating feeling of public opinion throughout the country in favour of this Bill, but he had yet to learn from the Petitions presented to the House in reference to it that such was the case. The hon. Member also said that Her Majesty's Government and the Bishops, with a single exception, were in favour of the Bill last year—[Mr. BERESFORD HOPE: I said, with a few exceptions]; he thanked the hon. Member for the correction, and would further say that Lord Lyttelton in his speech complained of the treatment the measure had received at the hands both of the Government and of the Episcopal Bench, and predicted that if it did not receive a more hearty support from the Government in the House of Commons, it would stand but a small chance of passing. A Cabinet Minister had stated last year that the Government were neither prepared to support the Bill nor to oppose it; but he thought that the House was entitled to the advice of Her Majesty's Government upon it. If this power were transferred to the Ecclesiastical Commissioners, the whole matter would be left in the hands of two or three of the members of that Body, or perhaps of their secretary, the scheme would be presented to the Privy Council and receive its sanction as a matter of course, and when it reached that House Her Majesty's Government would find themselves virtually pledged to support it. If this measure were agreed to, the right of Parliament to declare whether or not there should be an increase in the Episcopate would be taken away altogether, and the question would be determined by an irresponsible body. Seeing that the hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot) had so fully explained the objection to the Bill, he should not trespass further upon the attention of the House, only to say that he could not join his hon. Friend the Member for Swansea (Mr. Dillwyn) in his reasons for not passing the measure, and that he should content himself with seconding the Amendment.

Previous Question proposed, "That that Question be now put."—(*Sir Walter Barttelot.*)

SIR JOHN KENNAWAY said, that after the able manner in which his hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope) had stated his reasons for an increase in the Episcopate, and after the admissions made by his hon. Friends who opposed the Bill, he felt some scruples in taking up the time of the House in supporting it. The facts of the country spoke for themselves. An increase in the Episcopate had been felt ever since the Church awoke from her slumbers in the last century. There had been development of old and the growth of new centres of population, and there had been a vast increase in the numbers of the people, and of the clergy, and the parochial system. Episcopacy was the corner-stone of Church government, and now that the more pressing needs of the Church, in creating new districts had been accomplished, the necessity for an increase of Bishops had become more and more felt. He would be one of the last men to advocate for an increase of Bishops without clergy, but he might just state that the first church which the present Archbishop of Canterbury consecrated in the diocese of London was the 200th after the appointment of Bishop Bloomfield to the See, the whole of which had been built by voluntary subscriptions, the commencement of which had been inaugurated by that lamented Prelate; and what had been done since in the country generally was in the memory of all of them. In the days of their forefathers the idea regarding a Bishop was that he was an elaborate and expensive piece of Church furniture, not to be approached too closely by common eyes, and not to have much dealing with the clergy, but rather to spend his time in writing elaborate treatises on Divinity in his study, or on the Greek particles or Greek plays. But that was all changed now, and there was an increased activity going on in all the parishes of the country; and where Church work was going on, it was considered proper that the Bishop should visit the parish, and see what it was and give his sanction to it. The duties, indeed, had become so heavy that even men with iron constitutions like the Bishop of Exeter had to confess that they were unable to perform them. It was said that the laity did not feel that there was any want of more Bishops; but the clergy felt it, because they saw the great necessity of it. For instance, out of 477 clergymen, 468 had petitioned for this increase of Bishops. The hon. Member for Merthyr (Mr. H. Richard) last year objected to any increase of what he called political ecclesiastical functionaries, and he indulged on the occasion of the passing of the St. Albans Bill in the pastime of the vivisection of the Church of England; and the hon. and learned Member for Oxford (Sir William Harcourt) also objected to the Bill last year, on the ground that Parliament ought to judge for itself on each separate case; but he thought those objections to the Bill would not be well founded now, especially after the proposal now made that a new See should be limited to a county or to part of a county containing a large population. If we had had more Bishops we would not have so many critics indulging in that sort of pastime which he would call the vivisection of Ritualistic and other differences among Churchmen, for our Bishops would have had time to put down irregularities by authority, and many scandals would thus have been avoided. He could not agree with those hon. Members who seemed to wish that the Church should become intolerable, and thus bring about a separation between Church and State. A further objection to the Bill that it did not contain a provision that the income of a new Bishopric should not be less than £4,200 would be obviated in Committee, because the promoters of the measure were quite willing that a clause to that effect should be inserted in it. There could be no doubt the income would be provided, and willingly too, if the Bill passed. He hoped that the House of Commons would not on that occasion listen to those who might desire to get rid of the Bill. Parliament took the view of the Church of England, which had been well expressed by the leading journal that morning. It said the Church of England was—

> "A great national Institution which has everywhere been eliciting money, influence, and devotion in the cause of religion, morality, and education."

There remained only the question whether the Government should take this question up. No doubt, they should; but it was too much to ask them to do so until public opinion had been brought to bear upon them. He thought, however, that this discussion and the support the measure had received might encourage the Government to introduce a Bill on the subject.

MR. J. P. C. STARKIE supported the Motion of the hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot). We wanted Bishops very much in this country, but as the course now being taken was likely to impede the appointment of Bishops, he thought the less evil would be to allow Government to take its own course and bring in a Bill, as was done in the case of St. Albans, which should be submitted to the whole country, because the country would be less jealous of proceeding in that way than in the way proposed by the hon. Member for Cambridge University.

Mr. MOWBRAY said, he did not advocate this Bill in any sense as an Ecclesiastical Commissioner. He should deprecate the amount of labour which the passing of the Bill would throw upon him in that capacity; but, viewing this Bill as a Churchman, he felt it his duty to give his cordial support to its second reading. His hon. and gallant Friend the Member for West Sussex (Sir Walter Barttelot) advised the House not to discuss this question or legislate upon it, but to leave it to be dealt with by the Government. He (Mr. Mowbray) regretted to hear such sentiments expressed by a Conservative Member. This question was not merely fit for discussion, but ripe for legislation. It was a question on which the most thoughtful members of the Church had arrived at a deliberate conclusion. His hon. and gallant Friend said that the views of the clergy alone should not be adopted on this matter, but that the wishes of the laity, as well as of the clergy, should be consulted. He (Mr. Mowbray) entirely assented to that. This was a matter on which the opinions of the clergy and the laity who had thought on the subject had arrived at the same conclusion. The House was asked not to bow to the views of the clergy, but to carry out the wishes, generally speaking, of the members of the Church of England. He was greatly surprised to hear any doubt expressed on the Ministerial side of the House as to the necessity for increasing the Episcopate. In the reign of Henry VIII. six Sees were created and 10 more were promised; but during the last 330 years, notwithstanding the great increase of the population, practically only one addition had been made to the number of our Bishops. When Lord John Russell was at the head of the Government three more Sees were to be founded. Had that promise been fulfilled? Only one Bishopric, that of Manchester, was erected in 1847. In 1867 a Bill for the erection of three new Sees actually passed both Houses, but fell through at the last moment upon questions of detail, when it went back from this House to the House of Lords. While there had been only one addition to the number of our Bishops since the Reformation, making them 28, our Church population had become five or six times larger. What had the Church of Rome been doing in this country? The Roman Catholics in this country did not amount to 2,000,000, but they had 16 Bishops and an Archbishop. What was the case of the Protestant Episcopal Church in the United States? It was a voluntary Church, and was not above 90 years old. What was the number of its Bishops? Fifty-eight; more than twice the number of the Bishops in the Church of England, whose members were five times the number of the members of the Protestant Episcopal Church in the United States. What had happened in the Colonial Church during the same time? Fifty years ago there were, perhaps, half-a-dozen Bishops in the Colonies, now there were upwards of 60 Colonial Bishops. That showed what voluntary organization could do to promote the efficiency of the Church and to increase the number of Bishops in proportion to the number of the clergy and laity of the Church. He thought this was a matter which eminently deserved the attention of the House and the Government, and that there could be no more favourable moment than the present for dealing with it. The Church had reason to expect that a Conservative Government and a Conservative Parliament would do something to remedy an evil which had been admitted for 40 years, and which successive Governments had promised to meet. The hon. Member for Gloucester (Mr. Monk) said this was a sort of measure which ought to originate with the Government. He (Mr. Mowbray) entirely agreed with his hon. Friend. He wished the Government would take it up. He quite admitted that until the Government did take it up, it was not likely that it could be forced through Parliament. Under this Bill a scheme for the creation of a Bishopric would have to be submitted to the House and receive the sanction of Parliament, and that was the answer to those who argued that a separate Bill should be brought in on every occasion when it was thought expedient to create a Bishopric. He thought every Churchman would admit that there was a necessity for an increase of the Episcopate. He admitted that if he had brought in a Bill on this subject he would not have introduced it in the shape in which his hon. Friend had brought in this Bill, and that there was some force in many of the objections made to this Bill, but his hon. Friend had told the House the circumstances under which this Bill came before them. The principle for which he was about to vote was that contained in the Preamble—namely, that it was desirable that new Sees should be created in England and Wales.

MR. DILLWYN, who had given Notice that he would move the rejection of the Bill, but who had given way to the hon. and gallant Baronet the Member for West Sussex (Sir Walter Barttelot), said, he had mingled with different classes of society, and had not heard any general desire expressed for the increase of the Episcopate. On the contrary, the general opinion was, he thought, that if any extension of the Church was required, it was not among the highly-paid officials, but rather among the poor curates and the working clergy. He did not believe that the connection between the Church of England and the State would long be maintained. He looked around him and saw the Nonconformists not decreasing, but, he believed, increasing. [“Oh, oh!” *and* “Hear, hear!”] In his (Mr. Dillwyn's) own part of the country, at least, there could be no doubt that they were increasing. Assuming, however, that they remained *in statu quo*, he was not aware that there was any diminution in their antagonism to Church, not as a religious community, but as a State institution. The Church of England was torn with dissensions, and there was an existing rancour which was unparalleled. If he wanted to find specimens of evil speaking he looked into the Church newspapers, and, looking at all these influences, he did not think the day far distant when the connection between Church and State would be severed. He certainly thought that day would come, and he objected to see high-class officials increased in the Church. He objected to it for this reason — those who had had listened to the speech of the hon. Member for Dundee (Mr. E. Jenkins) last year could not forget the charges which he had made against the Church, with reference to the Irish Church disestablishment, and those charges had never been refuted; and if the disestablishment of the English Church should come—as come it surely would, he had little doubt but that a similar proceeding of obtaining undue compensation would be repeated. He thought it most ungracious in the promoters of this Bill to ask the House of Commons to delegate its powers to the Ecclesiastical Commissioners. Let the House have the whole scheme before them, and let them see what was to be done. It was proposed by the Bill to give a power to the Ecclesiastical Commissioners to increase the number of Bishops and to divide the dioceses of England and Wales. The authority of Parliament was proposed to be taken away by such a step as that. No doubt the scheme would be laid before Parliament for six weeks or more, to consider its provisions, but what security had Parliament that the Bill would not be swept through towards the end of the Session? They all knew what was done in “the small hours” towards the end of a Session, and that when it became a question “Aye” or “No” whether a Bill should pass, undesirable measures were not unfrequently swept through Parliament. This was a question of great importance, and was one which should be taken up by the Government, and not left to Ecclesiastical Commissioners or private Members. He submitted, in conclusion, that he should be very sorry if Her Majesty's Government were prepared to aid in delegating the authority of Parliament to the Ecclesiastical Commissioners, and in taking from Parliament the powers which it possessed and ought to maintain. They ought not to shirk their responsibility, and upon those grounds he should heartily support the Amendment of the hon. and gallant Baronet the Member for West Sussex.

MR. J. G. HUBBARD said, he thought the Bill was one which ought to meet with the support of both sides of the House. It was a Bill which only proposed to place the National Church, in relation to its own government, on the same ground as every other Church and religious denomination was placed. It was a Bill which it was surprising to find hon. Gentlemen, who in other respects professed to be the advocates of religious liberty and toleration, opposed to. It had been truly said by the right hon. Member for the Oxford University (Mr. Mowbray), that the population of this country was now infinitely larger than it was at the time of the Reformation; and he (Mr. Hubbard) held that it was time that the Church of England should have a power delegated to it to increase its Episcopacy, in relation to the increased number of the members of the Church. Regarding the Church of England as a National Church, he thought the assent of Parliament ought to be given to a measure, the object of which was to give to the Church a power to do its own work; and in asking for that power, the Church did not ask for any increase of its income, whether from the Consolidated Fund or otherwise. It was prepared by the liberality of its own members to find the resources from which these new Bishops were to be created; and therefore he was at a loss to understand on what reasonable ground the Bill could be objected to. His hon. and gallant Friend the Member for West Sussex (Sir Walter Barttelot) said there was no evidence that a general desire had been expressed for the passing of this Bill, but he destroyed his own premises, for he proceeded to say that if the Bill were passed, the Ecclesiastical Commissioners would be unable to resist the applications which would be made by persons in all parts of the country for the appointment of additional Bishops. There was, he thought, a very strong feeling in favour of that measure on the part of intelligent, thoughtful, and devoted men in the Church, whose views and wishes were entitled to the consideration of the House. It was unreasonable to expect a great number of Petitions from the public at large on such a subject. The hon. Member for Swansea (Mr. Dillwyn) wound up his attack upon the Church by saying he was a staunch member of it. He thanked him for that declaration, because it could hardly have been guessed from the tenour of his speech. For himself, he was not surprised or concerned that Dissent had taken hold of the people in Wales, where the Church had laboured under great disadvantage from the ignorance of many of the clergy of the native language, and also from much neglect on the part of both clergymen and laymen; because he would infinitely sooner see energetic, conscientious, and zealous Dissenters doing a good work in Wales than see the people utterly neglected, as they would otherwise have been. The apostles of religious equality said a Church could not be national unless it was co-extensive with the nation; but such a Church could never exist in a country like this, where religious freedom prevailed. He was therefore not concerned to maintain that the Established Church contained the whole of the people. All he said was that it was recognized by the State; that three-fourths of the nation adhered to it; that its religion was the religion of the Sovereign and of the State, and must remain so unless they entirely destroyed the Constitution of this country. Religious liberty was one thing, and it was fully enjoyed in this Kingdom. Religious equality was another thing, and it amounted to nothing else but a Republic. They could not maintain a Monarch on the Throne who had not a religion, and they could not find any religion for the Monarch which the people of England would accept but the one that was now connected with the State. He demurred, in the interests of liberty itself, to the attempt to force on changes in the Constitution which would utterly destroy the liberty they now enjoyed. The difficulty as to claims for compensation mentioned by the hon. Member for Swansea was removed by the circumstance that under this Bill no money would be taken from any public funds, while the necessary means would be provided by the personal liberality of Churchmen. If the Bishops should, at any future time, be deprived of their positions, they could be paid off with the principal of the monies, the interest of which would be amply sufficient to provide for them during their tenure of office. They would not receive £5,000 a-year, and would live quietly and usefully in their dioceses. He saw an advantage in having a class of Bishops who, as would be the case under that Bill, would be free from the enervating effect of political bias in their original selection, and who, if they subsequently found their way to the House of Lords, would reach it by their own merits. The Bill was one which the interests of the country demanded, and he should therefore give it his support.

Mr. E. J. REED said, he would oppose that measure on the ground that it had been avowed by one of its supporters in the House that it aimed at withdrawing in part the National Church from the control of the National Legislature, and that, too, in a manner affecting the constitution of the other House of Parliament. This was certainly not a moment for withdrawing from the control of Parliament and handing over to the

Church itself the power of not only electing Bishops, but of placing them on the high road to the other branch of the Legislature. Though many of the clergy were the friends of enlightenment and freedom, the Church was nevertheless doing its best to de-Protestantize the country and spread a vicious superstition through the land; and he thought it was a most lamentable thing that the constitution of a Church which was allied to the State should not place the clergy under more restraint, and prevent them from holding out inducements to their flocks to put their confidence in regard to matters of faith and religion upon forms and ceremonies which were spurned and turned out of the Church long ago, in what they might fairly call the dark ages.

MR. HENLEY said, that no one either in that House or out of it was more sensible than he was how necessary it was that there should be some increase in the Episcopate, owing to the great increase in the population of the country; but while he admitted that in its fullest sense, he was also bound to say that he thought the means or machinery introduced by his hon. Friend (Mr. Beresford Hope) to supply that want was not only not well suited to the purpose, but also in many particulars likely to prove mischievous. For that reason he was unable to support the Bill. A question of that importance, moreover, ought to be taken in hand by the Government. If they thought upon consideration that the want could not be met by an individual Bill here and there, and that it required a larger measure, then the attention of the Government ought to be given to a general scheme, by which the size and the population of the new Diocese should be well considered, in order that the matter should not be cast, as that Bill would cast it, upon a sort of "happy-go-lucky" system, without any principle to guide the Ecclesiastical Commissioners either as to the extent of the Dioceses or as to any other point, except that they were to exercise a discretion on the money to be given. No man had a greater respect than he for the Ecclesiastical Commissioners; but he did not think it was fair to throw on them that with respect to which Parliament was more competent to form an opinion. That was another reason why the Bill was unsuitable. Again, apart from the spiritual view of the question, there was the constitutional question of the number of Bishops who were to have seats in the House of Lords. As to that, he thought it would not be unwise to assume that it was not likely the number would be increased; and then the question arose, How was that number to be kept up? Then, again, it was most important that an opinion should be formed beforehand of the extent of the probable increase of the Episcopate which they thought right; because if there was only a moderate increase, the system proposed by the Bill might possibly work without much inconvenience. But if there was to be a large increase—say of ten or a dozen, which probably his hon. Friend might not think very large—then the system of succeeding to the seats in the House of Lords would, in his opinion, be certain to lead to this conclusion—that the whole body of the Bishops would be excluded from the House of Lords. Because, what would be the position of things? They would have them coming one after another at that time of life when men were less able, if able at all, to perform those duties which hitherto they had performed. Therefore, the work of the Dioceses would not only not be so well performed, but in what position would a man be, going quite at what might be called the evening of life into the House of Lords, to take a part in the deliberation of that great Assembly, and, what was more than taking a part, that he should have established such a place there as to lead that House to value his opinions on the matters brought before it? Those were some of the reasons which prevented him from voting with his hon. Friend. He thought nothing could be so mischievous as to have a machinery created by which a large number of Bishops in a number of years—he was unable to calculate either the number of years or the length of the lives before they would reach the House of Lords—would evidently enter that Assembly as worn-out men. A good deal had been said about the authority on which that Bill came down last year from the other House. He was as well disposed as any man to yield, and he always did, to such authority. But, unfortunately, some 30 years ago another Bill came down from the same place with some very curious recommendations. That Bill proposed not only that one Bishop should do the work of two, if paid for it, but also that one Archbishop should do the work of two Provinces and two Dioceses—one in York and the other in Canterbury; but to that he was opposed; and, in fact, neither he nor those with whom he had acted at the time could swallow it; and he was one of four, the present Postmaster General being another, who were in a minority on a division on the Bill. He believed it was law now; at any rate, he had never heard of its being repealed. It was therefore important that they should consider these questions on their own merits, and not allow themselves to be carried away by the authority on which they were recommended. These were shortly the reasons which induced him to support the Amendment. He earnestly hoped the Government would give their best attention to the subject; and, if they thought it necessary, lay down some general proposition with respect to the number and size of the Dioceses proposed to be formed. This was a matter on which he held a very decided opinion, and he felt bound to give his vote against the Bill.

Mr. KNATCHBULL-HUGESSEN remarked that if the statement of the right hon. Gentleman opposite (Mr. Hubbard), that Bishops were far more useful in their dioceses than in the House of Lords represented generally the views of the Church of England, it would go far to avert that opposition which many hon. Members on that side of the House entertained for this Bill. They would gladly give the Church of England as many Bishops as she liked, if for each one given one of those now sitting in the House of Lords would be relegated to his own Diocese. The right hon. Gentleman was not correct in saying that this was a Bill to enable the Church to govern herself. That might be true if the Bill gave power to Convocation—particularly to a remodelled Convocation, though he would not himself be prepared to assent to such a proposal. But he had never before heard that the Ecclesiastical Commissioners—one of whom was appointed by the Archbishop of Canterbury and two by the Crown—were synonymous with the Church. The real question for consideration was, however, whether the Bill was likely to strengthen the Church in her relation to the nation. If they considered the Church as a national Church, what was more clear than that, if new Bishoprics were wanted, they should be proposed upon the responsibility of the Government, and that the question should be submitted by them to both Houses of Parliament. To delegate the power of creating new Sees to any other body would to that extent weaken the status of the Church of England, which as a national Church, had better deal directly with the national legislation; and, as a friend of the Church and one who was not in favour of disestablishment, he held that this Bill tended directly towards disestablishment. In his opinion, the fairest and wisest course to take was to support the Previous Question.

Mr. SPENCER WALPOLE observed, that there was a general concurrence of opinion in the House as to the necessity of doing something to meet the spiritual wants of the population which was growing up in different parts of the country. Any one who reflected on the state of the Diocese of Exeter could not fail to see that there, for instance, some additional Episcopal superintendence was required, and the same want was experienced in other places. But, while the necessity of increasing the Episcopate was obvious, the Bill did not appear to him to be one that Parliament could accept. A measure which propounded loosely and vaguely that they should leave the matter to private and voluntary exertion, without any information as to what were the parts of the country which required an increase of the Episcopate, could not be accepted; and it would be idle, and worse than idle, to leave it to the discretion of zealous friends of the Church to increase the Episcopate where it might not be desirable, while other parts of the country where it was desirable were left neglected. The details of the Bill altogether were so objectionable that, to have any chance of passing at all, it would have to be completely remodelled. He entertained a very strong opinion that those who desired to have an established religion in this country must feel that any changes or additions which were made to that Establishment, or any alterations that were propounded in the law with reference to it, ought to come before Parliament with the joint concurrence of the Episcopal Bench and the Government. Now, that unanimity in the present case did not exist. The measure was not one which the Government had thought it right to support, nor had it been sent down to that House by the Episcopal Bench. Believing that it could not be remodelled without changing the whole framework of the measure, he hoped that the Government would tell the House, whether they could see their way to increasing the Episcopate, and then they might obtain a measure which would be very beneficial to the country. He would support the second reading of the Bill merely as an expression of his opinion that some increase of the Episcopate ought to be made; but it must be on the understanding that it should not be further proceeded with until the Government took the subject in hand.

MR. CUBITT said, he should vote for the Amendment of the hon. and gallant Member for West Sussex (Sir Walter Barttelot). The necessity for an increase of the Episcopate, urgent as it was, would have been more felt if it had not been for the accident of many retired Bishops from the colonies being in England and the restoration by the late Government of the order of suffragans. There were no public funds available for new Bishoprics, and the Ecclesiastical Commissioners would be prevented this year, as they were last, from accepting more than one-third of the benefactions offered them because they had not sufficient funds to meet them. It was to private, and not to public, funds, therefore, that they must look for provision for an increased Episcopate. As an Ecclesiastical Commissioner, and speaking for himself, he thought the duties sought to be imposed upon that body by this Bill were duties which they would find it very difficult to discharge, even if they were not altogether beyond their province. In these days of generosity it was possible that some impulsive and generous person might offer a large sum to found a Bishopric in one large and populous parish of London; and the Commissioners would be placed in the dilemma of either having to refuse a large benefaction made to the Church, or to prepare a scheme which would not be at all likely to enhance the opinion entertained by Parliament of their wisdom, and which would have no chance of passing. The question of the increase of the Episcopate had passed out of private hands into that of the Government. Last year they passed a Bill for the Bishopric of St. Albans, and it was said that efforts were being made with their sanction to obtain the residue of the funds needed for the establishment of a Bishopric for Cornwall. He thought the matter might well be left in their hands; and he protested against the duties which the Bill proposed being thrown upon the Ecclesiastical Commissioners.

MR. WILBRAHAM EGERTON said, he hoped that the Memorial lately presented to the Government in favour of the increase of the Episcopate would have due weight. If the Bill were pressed to a second reading he should support it, because he wished to affirm the principle that it was undesirable to have piecemeal legislation on this subject. Out of 450 rural deaneries, representing some 10,000 parishes, from which communications had been received on the subject, 441 were in favour of an increase, the only doubt entertained being as to the raising of funds, and the propriety of increasing the number of Bishops in the House of Lords. The laity, he believed, were generally in favour of an extension of the Episcopate in districts where there had been a large increase of population. The greatest benefits had resulted from the division of the diocese of Chester, Episcopal supervision had become a reality and not a name. At the present moment there was still a population of 1,500,000 under the Bishop of Chester, and a very strong opinion prevailed in favour of the appointment of a new Bishop for Liverpool. He quite agreed that, for the first year, a Bishop should not be called upon to attend to his duties in Parliament; and he was therefore in favour of Bishops taking their seats in the House of Lords by rotation. The Government had admitted the principle of an increase of the Episcopate by their Bill of last year, and he therefore thought that the time had come for the Government to deal with this question in a comprehensive measure.

MR. ASSHETON CROSS congratulated the House upon the calm and temperate character of the discussion, and upon the evident desire which had been shown on all sides to deal with the matter dispassionately, fairly, and in a spirit of entire justice to the Church of England. No one who had had to deal with the large masses of our population, which had increased so rapidly during the last few years, especially in the manufacturing districts, could possibly have witnessed that increase without having come to the conclusion that if a Bishop of the Church of England was to attempt to do his work with anything like satisfaction he must have assistance, otherwise he could not possibly do it. He (Mr. Cross) knew nothing so absolutely depressing to a man placed in a position of high authority, with the most responsible of all duties and with the most earnest desire to fulfil his work, as to feel that however much he exerted himself, whatever self-sacrifice he incurred, it was impossible for him to fulfil the duties which were incumbent upon him. If this were so, it was clear that there must be some relief granted. He was sure the House would agree with him when he said that there was the most earnest desire on the part of the Bench of Bishops to do their duty in their dioceses; but what could they do if circumstances were too strong for them? Let them take the case of the diocese of Chester, which had been divided. What could the Bishop of Chester, by even more than human strength, do if he had, in addition to all the duties which at present devolved upon him, the spiritual charge of the vast diocese of Manchester? Why, that diocese alone had increased to such an extent within a few years as to overstrain the powers of one of the most earnest, zealous, and efficient Bishops on the Bench. If a man in full health and strength, with only that portion of a diocese under his control, was rendered absolutely unable to perform his duties, what would have been the case if the burden had been left upon the Bishop of Chester? Owing to the vast increase of wealth and population in this country large towns, such as Middlesborough and Barrow-in-Furness, sprang up in the course of 10 or 12 years where previously there had been but a scanty population. It was quite clear, therefore, that if the work was to be done there must be, from time to time, some revision of the number of those who had to do it, and of the extent of the work which each had to do. His hon. Friend (Mr. Beresford Hope) must have been aware from the action already taken by Her Majesty's Government, of their opinion that the necessity existed for some steps being taken to remove this evil. They had passed into law an Act for the episcopal supervision of one of the most populous dioceses in this country. He did not believe there was any difference of opinion as to the point of which he had already spoken; but the question of the means by which that view was to be carried out was a totally different matter, and he hoped his hon. Friend who had charge of this Bill would tell the House that it was not his intention to make any division of opinion apparent where no such division really existed. His right hon. Friend the senior Member for Cambridge University (Mr. Spencer Walpole) had stated that, in his opinion, this was a bad measure. No one who had read the Bill could, in his (Mr. Cross's) opinion, come to any other conclusion. He considered his right hon. Friend's objections to the provisions of the Bill to be of vital importance. Even the right hon. Member for the University of Oxford (Mr. Mowbray), who supported the Bill, was obliged to say that in voting for the second reading he was only voting for the Preamble, and that almost all its provisions would have to be changed. For his own part, he thought it would never do to bestow upon the Ecclesiastical Commissioners—for whom he had the highest respect—a sort of roving Commission to make Bishoprics at their discretion. There was, no doubt, a provision in the Bill that the schemes of the Ecclesiastical Commissioners should be laid before Parliament, as a safeguard against the adoption of any ill-judged proposal; but that would involve an evil which it was desirable to avoid—namely, the perpetual discussion of Church questions in that House, for every scheme proposed by the Commissioners would, no doubt, excite controversy. At the same time, the Commissioners were invested with very questionable powers, the 11th clause, for instance, providing that they might attach to any new Bishopric a portion of the income of the Bishop whose diocese had been diminished. Thus the Commissioners were to be intrusted with the disposal of money which was already applied by Parliament to a particular purpose. Surely that was not a wise provision. However, he would not discuss further the details of the Bill, but proceed briefly to state what the Government were prepared to do in reference to the Episcopate. The diocese of Exeter undoubtedly called for some action being taken. Well, a proposition was made to him some months ago for the formation of a diocese of Cornwall. Funds to the amount of £1,200 a-year were placed at his disposal, on the condition that the Bishopric should be founded during the lifetime of the donor. That generous offer was met in the most liberal spirit by the Bishop of Exeter, who was willing to give up £800 a-year of the income of his diocese to be added to the £1,200 offered. He thought that a very generous proposition. As soon as sufficient additional funds were provided to furnish a proper income for the new Bishop, a scheme for the establishment of a Bishopric of Cornwall would, no doubt, be prepared. Up to the present moment, unfortunately, the necessary funds had not been forthcoming; but he hoped they would be, and in that case he would strongly recommend the adoption of a measure for effecting the object in view. He felt that it was not, perhaps, the wisest course to bring forward a separate Bill for each separate diocese, and he was not prepared to say, therefore, on behalf of the Government, that he should not be willing to consider a well-prepared scheme for a limited number of new dioceses. He thought, however, with his right hon. Friend behind him (Mr. Spencer Walpole), that in selecting these special dioceses, in fixing their limits, and in dealing with the intricate questions which would be raised, Her Majesty's Government, in concurrence with the Bench of Bishops, had a much better opportunity of knowing, and were much more likely to come to a wise conclusion, than the Ecclesiastical Commissioners; and he thought a matter of this gravity, touching so deeply the interests of the Church and the State, should be brought forward on the responsibility of the Government. He might also state that negotiations had been, he would not say entered into, but proposed for the formation of other dioceses in other parts of the country; but no proposition had come before him in such a form as would at the present moment justify him in laying it before the consideration of the Government. He was, however, perfectly prepared when any such propositions were made to lay them before the Government. Instead of dealing with cases individually, he should prefer to lay on the Table of the House a scheme for a limited number of Bishoprics, so that the work of the Bishops might be properly divided, at all events, until the changes in the population of the country rendered some re-adjustment necessary. He hoped, therefore, that his hon. Friend (Mr. Beresford Hope) would not press for a division. There was no difference of opinion amongst his Friends and amongst a great number of Members on the opposite side of the House as to the necessity for some increase in the Episcopate. There was no difference in any portion of the House on the question that if the work was to be done there ought to be men to do it; and he trusted his hon. Friend would not put them in the false position of being apparently divided amongst themselves when practically there was no division of opinion.

MR. HALL said, that the course of the debate had so altered the position in which he stood with respect to the measure, that with the view of giving further time for consideration, he would move that the debate be now adjourned.

MR. GRANTHAM seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Hall.*)

MR. BERESFORD HOPE said, he had only to state, in reply to the friendly criticisms upon his Bill, that he had no option as to its form. He introduced it as it had come from "another place" without a division, as the Episcopate had sanctioned it, as the ministry had also virtually approved it, and in particular as the Archbishop of Canterbury had very warmly commended it, so the shafts of his right hon. Colleague and of the right hon. Member for Oxfordshire (Mr. Henley) struck a far higher quarry than himself. Upon the general question, he was sorry that the Government had not made up their minds nine months earlier. This would have saved a great deal of trouble. He did not think the just expectations of the country would be satisfied by little Bills dropping in from time to time, enacting a Bishopric here and a Bishopric there. However, he accepted the statement of his right hon. Friend the Home Secretary as a general promise that the Government would take in hand the extension of the Episcopate in a systematic way, and by some measure providing for the creation of a plurality of Sees. Accordingly, he most willingly accepted the Motion for the adjournment, hoping that in the meantine Her Majesty's Government would be able to state something more definite than what they had heard that day.

Mr. DODSON said, he had not heard any reason why the debate should be adjourned. There was a general opinion that this measure could not be adopted, and it was better that it should be disposed of at once. The best course, he thought, was that the Bill should be withdrawn.

Mr. J. G. TALBOT said, that the reason for adjourning the debate was this—the Bill had commanded a great deal of support, and the Government had, through the Home Secretary, made an important announcement, which was a great encouragement to the supporters of the measure. If the Bill were withdrawn, it would seem as if it had received a blow, whereas, in fact, the discussion had shown that it was strongly supported; and further, no inconvenience could arise from an adjournment of the debate, for the subject could then be more fairly and adequately discussed.

Mr. DISRAELI: I hope the House will assent to the Motion of my hon. Friend the Member for the City of Oxford (Mr. Hall). We understand that it is the wish of the Mover of the Bill; and as the Mover of the Bill has placed his interpretation on that Motion —namely, that the debate is adjourned to an indefinite day—I trust that after the discussion which has passed, the House, as an act of courtesy to my hon. Friend, will agree to the Amendment.

Question put.

The House *divided*:—Ayes 174; Noes 90: Majority 84.

Debate *adjourned* till *Wednesday* 5th July.

VALUATION OF PROPERTY (METROPOLIS) ACT AMENDMENT BILL.

LEAVE. FIRST READING.

Mr. J. G. HUBBARD, in moving for leave to bring in a Bill to amend the Valuation of Property (Metropolis) Act, explained that the object of the measure was to carry still further the principle of valuation in the direction of a general system by having the house tax and the income tax calculated on the net rateable value of property, and not on the gross value or rent paid by the tenant. They found by looking at the Act that, whereas all local rates of whatever kind were assessed upon a measure of value laid down in the net rateable value, yet Imperial taxes were levied on the gross value. For example, the gross rental of the metropolis was £24,000,000, and the net rental £20,000,000; and while the local taxation was levied on the £20,000,000 only, the Imperial taxes were raised from the £24,000,000, which was, he conceived, an unjust anomaly. That was to say, the right hon. Gentleman the Chancellor of the Exchequer taxed the £4,000,000 which were expended in repairing and keeping up the property. Even this did not represent the full extent of the evil which was suffered. Suppose a man had £2,400 a-year gross, and £2,000 net rental, and that there were incumbrances to the extent of £1,600 a-year, the owner, in such a state of things, would be taxed upon £800 a-year, whilst he would only receive £400 a-year. He thought it was a gross injustice, and one that demanded a remedy; and it might fairly be asked why was there this difference? He thought the difference was easily explicable. The income tax was introduced merely for a temporary purpose, and it was, therefore, easily understood why it was inexpedient to disturb one year the basis of a tax which next year might be wholly abolished. Under the present system, they had the frightful anomaly that the individual owner of real property paid a double income tax, and the capitalist was relieved. With the slight amendment of the Metropolitan Act which he proposed, he thought that Act would be a model and a specimen of the system which he hoped to find prevailing throughout the whole country. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Mr. SCLATER-BOOTH said, there could be no possible objection to the Bill being brought in; but it must be understood that the Government was not pledged to it as regarded the limitations imposed, for he did not see how its operation could be confined to the metropolis alone.

Motion *agreed to*.

Bill to amend the Valuation of Property (Metropolis) Act, 1869, *ordered* to be brought in by Mr. HUBBARD, Mr. FORSYTH, and Mr. TWELLS.

Bill *presented*, and read the first time. [Bill 74.]

HOMICIDE LAW AMENDMENT BILL.

LEAVE. FIRST READING.

SIR EARDLEY WILMOT, in moving for leave to bring in a Bill to amend the law of homicide, said, it was founded on the recommendations contained in the Report of the Royal Commission of 1865, and was drafted in accordance with the statutes now in operation in America, which established first and second degrees of murder, for which specific punishments were awarded, and also for improving the law of infanticide. The hon. and learned Baronet concluded by moving for leave to bring in the Bill.

Motion *agreed to.*

Bill to amend the Law of Homicide, *ordered* to be brought in by Sir EARDLEY WILMOT and Mr. WHITWELL.

Bill *presented*, and read the first time. [Bill 75.]

TOLL BRIDGES (RIVER THAMES) BILL.

On Motion of Mr. Alderman M'ARTHUR, Bill to provide for throwing open for the free use of the public the present Toll Bridges connecting the counties of Middlesex and Surrey across the River Thames, *ordered* to be brought in by Mr. Alderman M'ARTHUR, Sir JAMES CLARKE LAWRENCE, Mr. FORSYTH, Sir HENRY PEEK, Sir TREVOR LAWRENCE, and Sir CHARLES RUSSELL.

Bill *presented*, and read the first time. [Bill 77.]

MERCANTILE MARINE HOSPITAL SERVICE BILL.

On Motion of Captain PIM, Bill to provide for the organization of a Mercantile Marine Hospital Service and the Medical Examination of Seamen, *ordered* to be brought in by Captain PIM and Mr. WHEELHOUSE.

Bill *presented*, and read the first time. [Bill 76.]

House adjourned at a quarter after Five o'clock.

HOUSE OF LORDS,

Thursday, 17th February, 1876.

MINUTES.]—*Sat First in Parliament*—Earl Stanhope, after the death of his Father.

NEW PEER.

Henry Gerard Sturt, Esquire, having been created Baron Alington of Crichel in the county of Dorset—Was (in the usual manner) introduced.

WEST COAST OF AFRICA—EXCHANGE OF TERRITORY.—OBSERVATIONS.

THE EARL OF CARNARVON rose to call attention to the negotiations with the French Government for certain territorial exchanges on the West Coast of Africa, and said:—My Lords, I shall have to ask your Lordships for unusual patience this evening, because I am suffering from a cold so severe that I feel I shall find some difficulty in making the short statement; but, at the same time, I am aware that there is at the present so much misunderstanding on the subject of the proposed transfer as to make it desirable that at the earliest possible moment I should make a few observations to Parliament in respect of it. My Lords, your Lordships will remember that at the close of last Session, when this question was mooted, I gave a distinct promise on the part of Her Majesty's Government, that no conclusive—no final—steps should be taken which could preclude Parliament from having an opportunity of expressing an opinion. My Lords, I do not now ask your Lordships to agree to any Resolution. I desire, so to say, to lay the matter—with regard to the few points raised in which I think there is some misunderstanding—before your Lordships, in order that you may have a general idea of what is proposed. It is extremely difficult for anyone to appreciate the facts, circumstances, and necessities of the case unless he is familiar with the geography of the regions in question. Your Lordships will recollect we have three settlements on the Gold Coast. Gambia, which is the northernmost; Sierra Leone, which is separated from it by a long interval; and the newly-consolidated settlement of the Gold Coast and Lagos. The Gambia settlement, going back from the coast, is in proximity to the French colony of Senegal, and may be described as the outlying part of the national estate. I do not propose to detain your Lordships by going into all that occurred at the outset of the negotiations with France with respect to these territories. Suffice it to say that since 1866 these negotiations have been continuous. With the exception of an interval during the Franco-German War, they have been almost continuous from year to year. In 1866 proposals were made by the French Government to Lord Clarendon.

In 1867 they were renewed; and in 1868 the French Colony of Senegal made certain advances of territory abutting on Sierra Leone, which led to apprehensions of difficulty to our Colony. In 1869 and 1870 the negotiations were still continued; and the only point to which I need direct your Lordships' attention is that up to that time what this country proposed to do was to extinguish the rights which the French had in the neighbourhood of Sierra Leone. But a very much more favourable arrangement has since been proposed for our acceptance. As I have stated, the Franco-German War caused an interruption in the negotiations, and though they came before us from time to time nothing tangible was proposed till 1874. By that time circumstances as regards our possessions had very much altered:—the Gold Coast Colonies had been consolidated, and thus what might have been desirable had become almost a necessity, looking at it in the way of revenue. The substance of the proposals made by the French Government to me may be briefly stated as follows:—First, that the French should abandon all their rights and establishments in and around the territory of Sierra Leone; secondly, that they should abandon their posts of Assinie and Grand Bassam, and all their posts further down the Coast on the other side; thirdly, that they should abandon all territory claimed by them between the Gold Coast and Lagos; and fourthly, that they should abandon any pretensions or rights they may have east of Lagos to their own settlement of the Gaboon. Your Lordships will see that by this arrangement not only all French claims between Sierra Leone and the easternmost extremity of Lagos would be swept away, but we should acquire exclusive rights at the mouths of the Niger if we like to use them. When I say that the French surrender these rights and pretensions, it does not follow that we acquire fresh territory. So far from increasing our responsibilities in these quarters, I am prepared to contend that by such an arrangement as that proposed we should be diminishing them; because we should be making the territory that belongs to us more compact and more consolidated, and, therefore, more manageable for political and fiscal purposes. What I think the transfer would do is this: it would remove all French rights, claims, and pretensions in the places I have named, and thereby prevent the conflict of authority which now exists, and which is so extremely injurious to our interests. There has been so much misunderstanding, and I may say so much misrepresentation, with regard to this exchange, that I hope your Lordships will forgive me if I feel it necessary to go into these matters. My desire is to show that many of the objections I have heard do not really go to the point, and that more of them are founded on a total misapprehension of the facts. It has been said that an exchange of this kind involves a dismemberment of Imperial rights. I am at a loss to see how that can be the case in such an arrangement as this. If the policy hitherto pursued by Her Majesty's Government and if what we have said from time to time on subjects of this kind does not justify them against a charge of wishing to dismember Imperial rights, nothing that I can urge will. Then I am told that this is one of our oldest Colonies. But that is not the fact—it is not an old Colony, for the settled institution of the Gambia Colony only dates from 1821, and consequently it is not more than about half a century old. It is true that so far back as 1588 the original charter was given to merchants to trade on the Coast; but for many generations afterwards there was no settlement. There were disputed claims. One part of the Coast was held by the French and the other by ourselves, and it was only by the Treaty of Versailles in 1783 that the French resigned all their rights, and only by the Peace of 1814 that what they so resigned was secured to us. It was still later, not until 1816, that a small settlement was found on the Gambia, and a few years afterwards, in consequence of an attack by certain of the Native tribes, a detachment of a West India Regiment was sent there. In 1821 settled institutions were established there. What we now propose is called by some a "cession." I object to the word—it is not a "cession," but an "exchange;" and just as it is reasonable for the owner of a private estate to round off and consolidate his possessions, so it is equally reasonable to do the same for the public estate, and to make such arrangements as will enable us to consolidate a territory which at present, owing to its want of consolidation, is exposed to great difficulty as to its administration, political and fiscal. But then it is urged that the noble Earl who preceded me at the Colonial Office (the Earl of Kimberley) in 1870 or 1871 gave a pledge that this question of transfer was then abandoned, never to be opened again. If that allegation was true, I should attach great weight to the objection based upon it. But the fact really is that my noble Friend never made any statement of the kind. I should have been surprised if, with his caution, he had done so. But what is the fact? In 1870 Lord Kimberley informs Sir Arthur Kennedy that

> "though the intended transfer was postponed, Her Majesty's Government wish him to examine into the feelings of residents, especially Natives, and the obstacles which may present themselves to the transfer when occasion for it shall occur, and to take any steps which appear to him prudent to remove those obstacles."

That is not the language of a Minister giving an assurance that the question would never be stirred again. Again, in 1870, in reply to certain merchants, the noble Earl says—

> "Her Majesty's Government state that, owing to the war, the negotiations for cession are suspended for the present."

And in August, the same year, our Ambassador at Paris informed the French Government

> "that the negotiations could not be continued during the war, but that Her Majesty's Government reserve to themselves liberty to consider before renewing them the objections which have been raised to the transfer."

It is perfectly clear from this that, whatever course might have been ultimately adopted by the late Government, they had most carefully and jealously guarded themselves against any such pledge as that which they were alleged to have given. If this had not been the case, having regard to what the French call the *solidarité* which ought to exist between successive Governments, I should have paused before renewing the negotiations for the transfer. Another objection urged against the transfer is that there is an unanimous objection to it on the part of the Colonists. I take it upon myself to say that I have evidence that so far from there being a unanimous, there is scarcely a fractional objection to it, and, forming my own opinion from Papers in the Colonial Office, I have no doubt that the Colony is at the utmost indifferent to the whole transaction. If I for a moment supposed that there was any validity in this objection I would not be the one to make this proposition. I have a horror of trafficking in populations. I think such transactions are most foul, and can be adopted only in furtherance of the most base policy. To my mind nothing can be more reprehensible than to tamper with the feelings of populations in such a manner. But what is the state of facts as to the population of Gambia? That population consists mainly of Natives, and of a comparatively insignificant number of Europeans. The Native population is stated to be 14,000. What is the European? In the year 1851 it was 191. Twenty years afterwards it had dwindled down to 50; in 1872 it had diminished to 30; and in 1874 it had fallen to 20; and perhaps it may be below that number at present. Such is the population of Gambia. Now, let us see what the representation made by that population amounts to. During the time the negotiations were in progress under my noble Friend opposite (the Earl of Kimberley) a Petition was sent to him against the transfer signed by 502 persons; and in the course of last year there was forwarded to me a Petition with a similar prayer signed by 152 persons only. But I am bound to inform your Lordships that as regards the latter Petition the Governor states that of the 152 petitioners many were boys; others were what he describes as "men of straw;" and he adds that in numerous instances it was obvious that the signatures were written by the same hand. I do not think your Lordships will attach much importance to such a Petition as that. When it is urged that there is a strong and almost unanimous feeling on the part of the population against the transfer, words should be more carefully measured, and facts more strictly tested. Within the last few days I have been told by some gentlemen who take a great interest in the question that Gambia is very valuable to this country. Now I should not think it right to sacrifice a Colony simply because it did not pay its own expenses; but it is only right that your Lordships should be put in possession of the facts on this financial point. What is the real state of the case? It can be told in a very few words. Gambia has but few natural products. My noble Friend on the cross-benches (Earl Grey) once indulged in the hope that cotton might be grown there; but that dream has passed away. The cotton cultivation of Gambia was proved to be visionary. On the other hand, English trade, while I would not say it has absolutely and positively diminished, has been overshadowed by the French trade. It is not too much to say that the trade there has passed, or is passing, from English traders into the hands of French colonists. During the last seven years, with the exception of 1871, the revenue of Gambia has been in deficit. From 1821 to 1871 there had been Parliamentary grants in aid—sometimes large and sometimes small; but since 1871 no such Vote has been taken, and the consequence has been that there has been an increase of the debt, which from £75 has risen to £4,890. In addition to that, none of those works which are the life-blood of such a colony can be prosecuted in Gambia. It has been repeatedly pointed out that roads which are necessary for trade and for the defence of the country remain unmade. Mail steamers do at present touch at the Colony; but why? Because they are subsidized by the Treasury, which spends £1,200 a-year on them. The Colony can contribute nothing to the service; and when it has been found necessary to employ a detachment of troops in the Colony, the Imperial Government has been obliged to bear the expense. But it has been said that Gambia will ultimately have the trade of Central Africa. If that prediction is well-founded it is strange that it has been so long unverified. There are as yet no signs of that trade. There is another argument which has struck me as being the strangest one of all. It is alleged that Gambia has a healthy climate. Now, my Lords, whatever the other merits of Gambia may be, I never expected to hear that statement, and I heard it with astonishment. The climate along that West Coast differs in degrees, but it is in degrees of badness. The only question is which part has the worst. Nothing gives me so much pain as the receipt of the accounts which reach the Colonial Office of the mortality and sickness of the officers serving along that Coast. Last week I heard of the death of four, who within a very short time had been swept away by the remorseless fevers of that country. I admit that the Gold Coast may be worse than Gambia; but I say that at best Gambia is only one degree better. Though there may not be at the latter place the chronic and persistent illness there is at the former, still Gambia is subject to epidemics which sweep over it from time to time. Within the last 10 years there have been three of those epidemics. In 1866 yellow fever raged there; in 1869 cholera; and in 1872 yellow fever again. "In the rains the Europeans die, and in the cold the Africans." This was what was said by the Administrator in 1866. It is urged that the River Gambia is an important river. I admit it is a fine river, but its value is more than doubtful. It is not suited for ships of large burden; and my noble Friend opposite, who was at the head of the Foreign Office in 1870 (Earl Granville), said he could not conceive what the value of the Gambia could be, unless it were for the purpose of concealing sailors who might run away and wish to hide themselves in time of war. No doubt, it did render important service in former times; but those days are past, and the necessity for us to have that river no longer exists. As to its use as a coaling station, the Admiralty established a small coaling station on the Gambia which proved to be of so little value that after the experience of a few years it was abandoned. Again, we are told that the tribes in the neighbourhood of the settlement are amicable. I observe that if at any time the Colonial Office proposes to do anything which is regarded as rash towards a colony, they are reminded immediately of the amiability of the surrounding tribes; and I believe there never was less foundation for the assertion than there is in this instance. For what is the real state of the case? We have on our frontiers a large tribe of Mahomedan fanatics, who have gradually descended from the interior to the sea coast, sweeping all before them. They are eminently warlike and averse to order; and so far from having any reason to suppose they are amicably disposed towards us, we have very good grounds for believing that they are quite the reverse. Within the last two years since I have been in the Colonial Office we have been on the eve of a war with them. And what has been the previous history of their relations towards us? In 1853 the Colony was involved in a war with them, from which it was extricated by requesting the assistance of the French Colony at Senegal. In 1855 the Colony was again at war with them; in 1861 the same state of things arose, and again the Colony had French help against the Mahomedans; and again, in 1866, a war with them broke out which lasted two years. It is, I think, impossible, with those facts before one, to say that the tribes in the neighbourhood of Gambia are of a pacific or amicable character. I hope, my Lords, that in this brief outline I have shown that there is no foundation for the objections to which I have just referred. But it may be said—"Granted that the Colony is unhealthy; granted that it does not pay its way; granted that it is exposed to the attacks of warlike tribes in its immediate neighbourhood, and yet none of these circumstances affords a sufficient justification for a transfer." Even if that were so it would not affect my proposition. I put forward what is to be gained by our West African Settlements, looking at them as a whole—looking at the whole rather than at a part. But then it is said—"Why not acquire the French settlements by purchase?" I admit that if we could accomplish what we require by purchase, a proposition to do it in that way would be well worthy the consideration of Parliament. If it could be gained in any other way I should not have advised the exchange of Gambia. But that is the price asked. The French desire Gambia, and we desire the French Settlements. It is for Parliament to consider whether the price asked is equivalent to what we are to give, or is it an excessive price. Now, what is our position on the West Coast? It is simply this—We hold a line of coast; at various intervals along that line are various French settlements, through which goods of all kinds are smuggled into the interior, and compete on manifestly unfair terms with our imports. We, at present, raise our revenue in these parts by customs duties; but it is impossible that we can secure our revenues while this state of things exists, and when we know that other parties can undersell us in every way it is necessary that something should be done. Well, not to go into detail, it has been estimated that if the transfer can be effected the revenue of Sierra Leone will be enormously increased, and that the revenue of the Gold Coast, which is now £70,000 a-year, can be increased to £170,000—some carry the estimate as high as £200,000. I shall not pronounce an opinion as to whether that is excessive; but there is good reason to believe that the revenue of the Gold Coast may be doubled. Now, what is meant by revenue? Revenue on the Gold Coast means everything. It means good government; it means the health of the English officers who are employed there; it means the civilization of the Natives on the Coast; and it means security against attack. I say we are not in a position of security on the Gold Coast, and to put us in that position increased expenditure is necessary. There are but two ways in which revenue for such a Colony may be obtained. On the one hand, it can be found from within; and I believe the resources of the Gold Coast with Lagos are such as to secure for us a revenue which will enable us to secure the great objects to which I have just adverted. On the other hand, if you do not get a revenue from within, there is one other source from which it can be had, and that is a Parliamentary Vote in aid. My noble Friend who is sitting on the cross-benches (Earl Grey), in very able letters which he wrote 20 years ago, makes some very cogent observations. In one of these letters my noble Friend observes—

> "But these objects could not be obtained without a large increase of expense, and Parliament has always shown what I consider a well-founded reluctance to increase its Votes for purposes of this description. It does not appear to me that the people of this country ought to be called upon to pay for the cost of extensive schemes of internal improvement in Africa."

He then goes on to say—

> "For these reasons I considered myself bound to adhere to the rule of not proposing to my Colleagues that Parliament should be asked to increase the usual grants for the civil establishments on the West Coast of Africa; and though I was most anxious for the adoption of measures of improvement which could not be accomplished without considerable expense, I thought it right in this part of the African Continent, as well as in Natal, to proceed with these measures only as their cost could be provided for by means of local resources."

Well, my Lords, that is the alternative Parliament has before it? Parliament deliberately decided to retain the Gold

Coast Colony. It did so undoubtedly in the belief that good government could be established in that Colony, and for the improvement and the civilization of the Native races. In a great part the intentions of Parliament have been carried out; but owing to climate and other causes this has been at a much greater expenditure than would otherwise have been called for. If the Customs duties can be made available by such protection against smuggling as this transfer would secure to us, then I believe the revenue will be sufficient to meet all the requirements. If not, then I see no alternative other than that Parliament should step in. But, my Lords, there is another point in connection with this matter which ought not to be concealed from your Lordships. It is not merely ordinary goods and other articles of commerce which are imported through the French settlements, but large importations of ammunition and of most dangerous weapons of war are effected through them. This is no fanciful danger. During the Ashantee War we had evidence that immediately before it importations had been carried on which went far to enable the Ashantees to maintain that war; and it was only a short time since I received a despatch from the Resident at Coomassie in which he stated that he had seen a review of Ashantee troops on their return from some proceedings in which they had been engaged, and not only had they an abundant supply of arms of all sizes, but one detachment had been drilled in the use of the breech-loader, and apparently had become familiar with the method of handling it. During the Ashantee War in which we were engaged their weapons were bad, and, consequently, the loss of life was small:—there can be no doubt that had they been then supplied with arms of precision the loss of life on our side would have been very much larger. My Lords, to sum up what seem to me to be the arguments in favour of the proposed transfer. The exchange now proposed is, in my opinion, more favaurable to this country than any previously offered; secondly, as it is more fovourable, so it is more important at this moment, because there is now a greater necessity than ever for some such arrangement. It may be said, perhaps, that in urging such considerations I have stated the case too strongly, and that if the exchange was really so favourable to us, it would not be likely that the French would propose it. My Lords, from the nature of our institutions it is impossible to disguise facts in connection with such transactions as this. They must be stated for what they are worth, and it must be left to the good sense of Parliament and of the English people to deal with them. But what I have said as to the advantages to us is equally applicable to the French. They, in respect of their settlement at Senegal, are situated as we are in respect of ours on the Gold Coast. They labour under the same difficulties that we do, and it is as important to them to consolidate their possessions as it is to us to consolidate ours. At the same time, in a matter of this kind, I have no wish to force the proposition on Parliament. It is, no doubt, a question of exchange, or of giving up, in some form or other, territory which we now possess. When that is the case, I hold that the Government cannot proceed with too much caution to ascertain that it is in unison with the feelings of Parliament on the subject. I wish Parliament to understand the proposal, to sift and analyze it, and to subject it to any test that may be thought fit. I believe that the more the question is tested and analyzed, the more it will be shown that these negotiations on which successive Governments have been more or less engaged are now more important than ever. As I have before put it, there are only two alternatives if Parliament wishes to retain the Colony of the Gold Coast and to promote the civilization of the Natives, and to adopt the best measures possible for the safety and the health of the English officers employed there. You must either find means to increase the revenues in the Colony itself, or the Imperial Parliament must vote a grant in aid. I believe that if Parliament gives its approval to this transfer it will do well. I submit it to your Lordships for consideration, thanking you for the patience with which you have listened to an imperfect statement of a measure which, if it cannot be called a large one, is certainly one of some importance, if we consider the interests which will be affected by the course which Parliament may decide on with respect to the proposition the details of which I have now laid before your Lordships.

EARL GRANVILLE: My Lords, I am extremely sorry to hear of the indisposition from which the noble Earl (the Earl of Carnarvon) is suffering, but I congratulate him on being able, notwithstanding that indisposition, to give your Lordships so clear a statement of his views as that to which we have just listened. I presume the noble Earl does not intend that the House should on this occasion enter upon a discussion of the proposed transfer; because, considering that the Papers on the subject were only delivered a few hours ago, it would hardly be reasonable to expect that noble Lords should be prepared for such a discussion. But as, in a certain sense, I have been appealed to, and as the Government with which I was connected had something to do with negotiations on this subject, perhaps the House will allow me to at once say a few words. They shall be few, for when I say I shall not be long I always adhere to that promise. I will first allude to what was done by the late Government. But before doing so I would observe that on the question of the connection of our Colonies with the mother country two sets of opinions are held which are not only extreme in themselves, but are entirely opposed the one set to the other. Some people hold that our Colonies are a loss rather than a gain to the mother country, and that it is an advantage to us to lose rather than to acquire colonial possessions. These persons maintain that our Colonial Empire may be surrendered without disadvantage. On the other hand, there are persons who contend that to hold our colonial possessions must be an advantage, and that the giving up of any of them must be a loss, because it is a diminution of our Colonial Empire. I am happy that the noble Earl opposite has adopted the course taken by previous Colonial Secretaries, and has not ranged himself with either of the parties who hold these extreme views. I am glad to think he considers that each case should be decided on its own particular merits. My noble Friend, in his statement to your Lordships, has laid stress on his view, that the scheme which he brought before us is not a "cession," but an "exchange." I am inclined to think it is a cession. He said that it is not a cession, because we get something in exchange; but I think that the transfer of a Colony may be a cession without that fact militating against the transaction:—because I am not prepared to hold that, if a colonial dependency is found to be a burden to us, and might be a benefit to some other nations, there are no circumstances under which we should be at liberty to part with such a dependency to that other country. Therefore, my Lords, I do not quarrel with the word cession. My Lords, as to my share in negotiations for a transfer, while I was at the Colonial Office, what happened was this:—It was represented to the Government here that the climate was so bad that no one could remain two years in those parts, except the unfortunate officials who were sent there by the Government; and that not only was our trade small, but the imports of the English houses were daily diminishing, while the French were increasing their trade and carrying it on in such a way as was sure to do injury to the English. It was further stated in the communications from the Colony that the Colony was a difficult one to manage in consequence of the character of the neighbouring tribes. That being the state of things, and there being no longer any advantages from the possession of the Colony in the way of suppressing a slave trade which no longer existed, I thought that the Government would be acting quite within the spirit of the recommendations of the Committee of the House of Commons in receiving proposals and entering on negotiations such as those spoken of by the noble Earl. I may say that when I left the Colonial Office the great difficulty that was felt was as to the feeling of the Natives, which we felt bound to consult. I am glad to hear that no such difficulty exists now. Thus matters stood and I left the Colonial Office absolutely unpledged to the French Government. My noble Friend beside me (the Earl of Kimberley) took up the business of the Colonial Office and we acted entirely in concert. The unfortunate Franco-German War broke out, and we were of opinion that that put an end necessarily to any negotiation in the matter. The noble Earl (the Earl of Carnarvon) was full right in saying that my noble Friend did not give any pledge that the question would not be revived again. How could my noble Friend give any such pledge? Then the noble Earl said that there were advantages in the present arrangement over that which was contemplated by us. I certainly cannot give an opinion on that subject. It may be that there are advantages—it may be that there are disadvantages; but I am glad to hear that the noble Earl considers that there are advantages. It is incompetent in me to oppose the proposition of the noble Earl, but I own it appears to me rather an unusual course to make such a statement as that to which we have just listened. The usual course is for the Government to make up its mind as to the policy it will recommend, and then, by bringing forward a Bill or in some other manner, to elicit the opinion of Parliament in reference to it. The noble Earl, however, in laying the Papers on the Table, has, notwithstanding his indisposition, been good enough to make the explanation we have heard. What I rather gather is this, that the Government have not now quite made up their minds, although a short time ago they thought they had made up their minds, and that they think it better to ventilate the subject, and see how the cat jumps, leaving the ultimate result to the noble Duke and the Chief Justice. That, I believe, is what is behind; but, meanwhile, I thank the noble Earl for the interesting statement he has made.

The Duke of SOMERSET said, he trusted the Government would not take further steps in this matter until Parliament had received more information than had been laid before them. The information they at present had before them was very meagre; they knew a very little of what they were asked to do, and Parliament ought to have complete information before it was asked to assent to the proposal now made. They knew something of the country which it was proposed they should give up, but they knew nothing or very little of the territory which it was suggested they were going to receive. The noble Earl (the Earl of Carnarvon) had told them that Gambia owed £5,000, and that it was very unhealthy; but that was a very small sum, and the sanitary condition might be improved. On the other hand, Gambia was a place well situated for trading with, and the civilization of Central Africa was a matter which was becoming of more and more importance to this country. All that they now knew of the interior of Africa, and all that he had heard from naval officers, led him to believe that the river Gambia would be a valuable means of communication with the interior. This country had made a bargain with the Dutch for the acquisition of some of their settlements; and what did either party get from the bargain? He believed that it got us into a war from which we had got out with some credit and much cost; while the Dutch had got into a war from which they had not yet got out. He found among the Papers, that we had nearly got into a small war on the Gambia through a very small matter. A panic had arisen among the residents; the Governor applied to the Colonial Office; the Colonial Office sent to the Admiralty; and the Admiralty despatched a small vessel of war to the river; and then it was found that this grave complication had originated in a fraudulent message purporting to have come from an African king. The only person disappointed was the lieutenant in command, who, no doubt, expected to get his C.B., or perhaps to be made a Baronet. Their Lordships had been told that the Gold Coast was very unhealthy. Then, why should they increase their territory in that direction? It was said that though the Gambia was navigable for 300 miles it was a very unhealthy river. Well, was the Niger not also unhealthy? He believed the navigation of the Niger was not so good and the climate not healthy. Why had Gambia been so much depreciated? Trade had fallen off there because the traders had for 10 years been expecting to be transferred to the French Government. Why did the French Government want Gambia with its insalubrity, no trade, and with a large Mohammedan force around it? There must be some good reason for their wanting it. It might be that by means of it they would find easy access into the interior of Africa and they would be able in time to cut off the trade of this country up the Niger. This was a matter which must be much more fully looked into before Parliament could sanction it. There ought, he thought, to be a Committee to inquire into the whole question, as at present Parliament had heard only one side of it, and this possession might become very valuable to this country in the future.

Lord BLACHFORD cordially supported the proposed cession. The questions to be considered were—what was the national interests in the matter?—what were the local and individual interests?—and, in case those interests conflicted, which should prevail? The first point to be determined, as to the national interests, was this—was it desirable to adopt, on the West Coast of Africa, a policy of territorial extension? If it were, then, no doubt, it would be worth while to make some sacrifices to acquire and preserve small outlying settlements as *nuclei* of future aggrandizement; just as a person, desiring to build up a great landed property, would buy plots of land here and there in hopes of being able to purchase up to them at his leisure. Was this our case? Some persons did seem to cherish the dream of a great West African Empire. Possibly it was with some such ideal before him that a correspondent of the Colonial Office desired to retain the command of the Gambia as the shortest road to Timbuctoo. Visions of this kind would scarcely find favour with their Lordships. But a less impracticable idea was that of uniting, by continued annexation, our scattered posts on the Coast, and thus by degrees rendering England mistress of the seaboard, and charging us with the control and protection of the Natives from the French Settlements on the Senegal down to the mouths of the Niger, and as much further as British trade might call us. In his (Lord Blachford's) opinion nothing could be more disastrous than such a policy, because it would be utterly impossible to perform properly the obligations which it imposed upon us. Our strip of maritime possessions would have at its rear the kingdoms of Dahomey and Ashantee, the warlike Mohamedans of whom the noble Earl (the Earl of Carnarvon) had spoken, and other barbarous and slave-holding Powers of whom we had, as yet, happily no experience. Our duty would be not only to control our barbarous subjects, but to defend them against this line of enemies. And what were our means of performing these duties? Observe, to compare small things with great, how they were performed in India. You had there, perhaps, the best civil service in the world, composed of men attracted by high pay and hope of distinction, and devoting themselves to the service of their adopted country as a life-long career. You had an English army furnishing an example and a means of control to the Native Forces attached to it. And these great civil and military forces we had found equal, indeed, but not much more than equal, to the task imposed on them. It was well known, but not sufficiently considered, that on the West Coast of Africa the deadly nature of the climate rendered all this utterly impossible. In that country appointments to civil offices were only possible on the understanding, or, at least, on the legitimate and well-founded expectation, that if a White officer showed industry and capacity he would be speedily transferred to a less dangerous post. He (Lord Blachford) had heard a Secretary of State say, with a bitterness which did him credit, that when he made an appointment to some of these posts he felt as if he was committing a murder. In respect to the military force, matters were, if possible, worse. The Horse Guards would give you no White soldiers. Even the West Indian coloured regiments had been withdrawn by the noble Earl. The Admiralty would not give you sailors, if they could help it. You might send out English policemen, but only to get drunk and die; and you had to do your work with the Native Force collected, he did not know, and he suspected the Government did not know where, and which you would not dare to make strong enough to overawe your enemies lest you should make it—what such forces rapidly become—too strong for its masters. If, then, the policy of extension were impossible, the arguments for the counter-policy of consolidation were irresistible. Where the territories of civilized nations interlaced in barbarous countries, the difference of their methods in the administration of justice, the punishment of criminals, the collection of revenue, the treatment of slavery, and other matters, distracted the minds of savages, whose obedience was secured only by intelligible consistency, and in numberless ways rendered effective administration impossible; while the rival policies and rival alliances of the Europeans gave the savages a means of embroiling us, which they were cunning enough to use, and subordinate officers allowed themselves to be engaged in disputes troublesome on the spot and sometimes of serious consequence at home. The true interest of all was that the limits of each civilized influence should be so determined as to afford the European Powers the utmost facility for effectively governing the Natives, and the least possible occasion for quarrelling among themselves. The exchange proposed by Government was evidently calculated to effect this, and therefore to serve the public interest. Then, as to local and individual interests. Those of the traders he did not rate very highly. The interest of British commerce was one thing, the interest of a few individual firms another. The whole profits of the trade at the Gambia did not amount to more than one large income, and the question was not, whether this should be destroyed, but whether there was ground for apprehension that it might be diminished. It was not reasonable that national policy should go out of its way on such a consideration. A much more serious question was our duty to the Natives. Great consideration was due to the interests and even sentiments of our subjects, provided, however, that the interests were real and the sentiments genuine. The noble Earl had shown that the Petition sent home against the cession did not represent the sentiment of the people. And what were their interests? Their most pressing want was of military protection. The Marabouts—a warlike and fanatical tribe of Mohamedans — had thrust themselves in between the French Settlements on the Senegal and the English Settlements on the Gambia. They had driven the inland tribes before them, and were now within a few hundred yards of our frontier. It was quite clear that sooner or later we should have to fight for the safety of our settlements. It was far from impossible that we might be fighting at this moment. Now, it might be right for the European Powers to meet hostility half way—it might be right to conciliate and temporize. It could not be right to do both. Yet this was what we were doing now. While the French were fighting serious battles with these invaders in front, the English were negotiating with them in the rear. A common course—the protection of our subjects — should dictate a common policy. This consistency would be secured by the union of this part of the coast under the French. And the people of the Gambia would be much safer under the wing of Senegal, and in the neighbourhood of a large military force, readily employed in their defence, than while sheltered by the mere prestige of English negotiations. Therefore, because the national interest was clear—the traders' interests insignificant—the sentiment of the Natives doubtful or divided, and their essential interests best consulted by the exchange—he gave his hearty support to the proposal of the Government.

THE DUKE OF MANCHESTER said, that though he regretted to do so he must oppose the proposal of the Government, because he regarded it as unwise, improvident, and unjust. The noble Earl (the Earl of Carnarvon) had correctly described the proposed exchange in his despatch to the Foreign Office, in which he said—

> "By the arrangement now proposed France would receive, in exchange for one small isolated post, and certain claims to influence and jurisdiction of, to them, little appreciable value, an old-established European Settlement, with the command of the Gambia, which is one of the finest rivers in Africa, navigable for 300 miles into the interior for vessels of 10ft. draught.

The noble Earl might have gone further, for the Gambia was navigable for vessels of 100 tons for a distance of 400 miles from its mouth, and the Native traders came from Timbuctoo, the journey occupying 46 days. The whole case did not depend so much on the advantages of the Gambia as a settlement, as upon the question whether the proposal of the Government would attain the end it had in view. It was proposed that the French should give us two rivers and stations to the west of the Gold Coast in exchange for the Gambia. Now, the French had no jurisdiction, exercised no authority, and levied no duties in those places. The English trading there had just the same rights and position; and the Portugese were in much the same situation. Our object in obtaining the cession of these stations was stated to be to levy customs duties on all the goods imported, and to prevent the introduction of warlike stores and intoxicating liquors. So far from this object being attained by the cessions proposed to be made by the French for the 100 miles of coast which would be acquired, there would be left 800 miles of coast over which we could have no control; and all along this coast there were stations of Portuguese, Danes, and Spaniards, who could import as much of warlike stores and spirituous liquors as they chose. As to the other river proposed to be ceded by the French to the north-west of Sierra Leone, that river had at its mouth certain islands which belonged to America, and, as the possession of those islands carried with it power to close the river, he could not understand what advantage the cession of the river would confer. As to the cessions to be made to us on the east of the Gold Coast, he could not gather from the Papers what the distance was to the head of the Bight of Benin, but it seemed to be about 10 degrees of longitude, and in that distance we had got only one station —Lagos—a small island in the most westerly mouth of the Niger—by means of which we could control these 10 degrees of coast. Altogether he thought this an unwise and improvident arrangement, and one most unjust to the people proposed to be transferred; for none of them had expressed approval of the transfer. The Papers endeavoured to make out a case for transfer; but Sir Arthur Kennedy had not ventured to say that even the French traders in the Gambia did not prefer the rule of the English Government, and the civil, religious, and commercial liberty they enjoyed under it, to the petty and vexatious restrictions which they knew would follow their subjection to French Colonial policy. For his part, he hoped the Government would re-consider the decision they had come to, and that they would abandon the project and endeavour to secure a more effectual control of the commerce along the Coast.

LORD STANLEY OF ALDERLEY said, that the ill results of the last transfer of territory, the bad effects of which subsisted still, were such as to make great caution necessary before sanctioning another, and as the Colonial Office had more on its hands than it could well attend to, in the Malay Peninsula, and the South African Colonies, it would be well not to undertake another affair which would cause further troubles. The noble Earl (the Earl of Carnarvon) had said that only a fraction of the Colony of the Gambia had petitioned against the transfer, and that there had been a change of opinion in the Colony since the late Government had first proposed the exchanges, but this was not so, for a further Petition with 400 signatures was now on the way here. The French were only able to cede a post on the Mellicourie River, they could not cede the populations, and now that the noble Earl had published the opinion of one of his Governors, that we were not a military nation, these populations might resist the cession. The noble Earl said he was going to remove a conflict of fiscal authority, and to do this he would have to occupy 800 miles of the Gold Coast with customs officers. He would read an extract from a letter of an African merchant, formerly President of the Marseilles Chamber of Commerce. After saying that the French residents in the Gambia Colony preferred that matters should remain as they were now, because change would disturb their trade, and the expense of the French Government would be higher; he wrote—

> "I do not mean to say it is impossible to occupy the sea-coasts of these countries, but we must look forward to the most formidable opposition from the King of Dahomey, who will never agree to farm the Customs, nor to give up his territory. At Porto Novo I anticipate great difficulties also, and it seems quite certain that for a long time trade will be stopped and political complications will arise among the Natives."

If this cession took place we should be certain to have a war with the King of Dahomey and he would have the Ashantees for allies; and the noble Earl (the Earl of Carnarvon) had just said that the Ashantees had recovered their strength. He hoped the country would have an opportunity of pronouncing on this exchange before it was carried out, and that we should not complete the arrangement in the hurry with which we made our recent exchange with the Dutch Government.

THE EARL OF KIMBERLEY said, he had little to add to what had fallen from the noble Earl (Earl Granville) behind him. In reference to the transaction which had been referred to by the noble Lord who had just spoken, he desired to say that no exchange of territory was made—the Dutch ceded to us certain forts they had on the Gold Coast, and we made certain concessions in regard to Sumatra; but there was no cession of territory on our side, and of course therefore no exchange. As to the proposed cession of the Gambia, the small part he had in the matter had been accurately stated; nothing that was done while he held the Seals of the Colonial Office precluded us from renewing negotiations at any time;

and, indeed, it would have been very arrogant and rash on his part to do anything which should attempt to preclude such renewal. As to the merits of the question, it was one of considerable difficulty. The reasons for the cession had been forcibly stated; but, on the other hand, the wishes of the inhabitants against the cession were strongly expressed, and that was a material consideration to which the Government ought to give much weight. This was a matter in which sentiment could not be altogether disregarded; for it would be remembered that in the case of the exchange of territory which had occurred between us and the Dutch on the Gold Coast some years ago—an exchange which seemed mutually advantageous—the Natives resented it, the town of Commendah, which had been English, was bombarded, and other disturbances occurred, the memory of which still lingered at the time of the Ashantee War. All these things showed it was no slight matter to hand over the Natives of a Settlement from one Government to another. It might seem that the transference of Natives from one civilized Government to another civilized Government was a comparatively small matter; but the practical result was not so. The Natives clung to old habits and traditions, and there was no doubt they were attached to the flag they had been accustomed to see. He did not know what might be the results of the cession which the French proposed to make on the Gold Coast. This was a new matter, which did not enter into previous negotiations. So far as he knew, there were no actual French Settlements, although at Assinèe a French merchant who resided there hoisted the French flag. If we were to acquire control over Assinèe, with a view to prevent the importation of arms and spirits, the question arose, how were the objects aimed at to be attained? At present the merchants might import what they liked, and were we to establish our supremacy so as to deprive the merchants of the liberty of importation they had hitherto enjoyed? He did not say the object might not be advantageous enough if it could be attained; but it was not evident that it would be attained by the simple ratification of a treaty. From the Papers he gathered that his noble Friend had been much occupied with the consideration of our position to the east of the Gold Coast, where there were 300 miles of coast over which we exercised no control. If this exchange were carried out, it would be necessary to acquire something more than the right of the French, and to take possession of 300 miles of coast was rather a serious matter. It might appear on paper a great advantage we were going to obtain; but he had some doubt whether it would turn out to be so advantageous in actual result. Without wishing to express any opinion adverse to his noble Friend on this matter, and being most anxious that the effect of the policy of the Government might be to introduce civilization into that part of Africa, he still thought that sufficient doubt rested on the subject, as now presented to them, to make it desirable that further information should be afforded by the Government as to the manner in which their policy was to be carried into effect.

EARL FORTESCUE said, that the West Coast of Africa Committee on which he sat in 1842 had reported unanimously that the Settlement of the Gambia possessed advantages far beyond any other British settlement on that coast, and was likely to become of the highest value to the trade of this country. But the rumour that this cession was about to be made would naturally paralyze trade there. If the cession were made we were pretty sure to be exposed to a system of commercial restriction, which would discourage the trade of every nation but that to which the Settlement was to be transferred. The French had always acted on that exclusive principle. The question was, not what our trade with the Gambia now was, but what it might be under the happier circumstances in which that Settlement and the whole of Africa might yet be placed. He feared that for the trifling immediate advantages of improved police regulations, and a greater facility of collecting the Customs duties, we were giving up, or at least, endangering a great future trade, and were jeopardizing the opportunity offered us by that great navigable river of civilizing and Christianizing the interior of Africa. Upon the whole, he agreed with the noble Duke (the Duke of Somerset) that further information should be granted to Parliament before they were called upon to ratify an arrangement, which might, indeed, be convenient for the moment, but which put in peril the advantages we at present possessed on the West Coast.

The Earl of **LAUDERDALE** thought that by giving up the Gambia they would virtually be giving up the whole of Northern Africa to the French. The Gambia was at all times and seasons navigable for 300 or 400 miles, and the French had been always trying to get hold of that river. There was no river on the West Coast which afforded such facilities for trading with the interior as the Gambia. Therefore, he hoped that Her Majesty's Government would consider seriously before they decided to give it up.

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 17*th February*, 1876.

MINUTES.] — New Members Sworn — Viscount Hinchingbrook, *for* Huntingdon Borough; Thomas Blake, esquire, *for* Leominster.

Public Bills—*Ordered*—Royal Titles.

Ordered—First Reading—Poor Law Amendment * [78]; Marriages (Saint James, Buxton) * [79].

Second Reading—Merchant Shipping [49]; Indian Legislation * [54]; Drainage and Improvement of Land (Ireland) Provisional Orders * [71]; Municipal Privileges (Ireland) [39].

ARMY—THE INDIAN AND HOME SERVICES.—QUESTION.

Sir **GEORGE CAMPBELL** asked the Secretary of State for War, Whether Her Majesty's Government have yet come to any decision regarding the arrangements by which adequate provision for the Military requirements of India may be combined with short service in the Army at home?

Mr. **GATHORNE HARDY**, in reply, said, he had caused very careful inquiries to be made into the subject, but no decision with reference to it had yet been come to.

Sir **GEORGE CAMPBELL** gave Notice that on Friday, the 25th, on going into Committee of Supply, he would call attention to the injury which would result from the further postponement of a decision on this question.

SLAVE TRADE LEGISLATION—THE ROYAL COMMISSION.—QUESTION.

Mr. **ARTHUR MILLS** asked the First Lord of the Treasury, Whether the Royal Commission alluded to in the Speech from the Throne as about to inquire into all Treaty engagements and International obligations bearing on the action of British National Ships in the territorial waters of Foreign States, will also be instructed to report on the expediency or otherwise of further Imperial Legislation on the subject of the Slave Trade?

Mr. **DISRAELI**: In answer to the Question of the hon. Member, I must remind him that the instructions to the Commissioners will necessarily be of a very wide character, and it certainly does appear to me that one of those instructions will be to fulfil the duties to which the Question of the hon. Member refers.

TURKEY—THE GUARANTEED LOAN OF 1855.—QUESTION.

Mr. **W. GORDON** asked Mr. Chancellor of the Exchequer, Whether, having regard to the present financial state of Turkey, any steps have been taken to insure the continued remittance to this Country of the securities pledged for the Guaranteed Loan of 1855, viz. the Egyptian Tribute and the Customs of Smyrna and Syria?

The **CHANCELLOR** of the **EXCHEQUER**, in reply, said, that the engagement of the Turkish Government in connection with this loan was that the interest and sinking fund of the loan should form a charge upon the whole revenue of the Ottoman Empire, and especially on the annual amount of the tribute of Egypt which remained over and above the interest appropriated to the first loan, and, moreover, on the Customs of Smyrna and Syria. That was the security given for the loan. With regard to remittances, the Sultan engaged that he would cause to be remitted to the Bank of England, on or before certain days, one half-year's interest and sinking fund on the whole amount of the fund to be so raised, until it shall be paid off. Her Majesty's Government had every reason to suppose that the Turkish Government would fulfil their obligations in the matter, and therefore no special step had been taken with regard to it.

ENDOWED SCHOOLS AND HOSPITALS (SCOTLAND)—LEGISLATION.

QUESTION.

Sir EDWARD COLEBROOKE asked the Lord Advocate, Whether the Government have had under their consideration the Reports of the Endowed Schools and Hospitals (Scotland) Commission; and, whether they intend to bring in any measure in the present Session to carry out any of the recommendations of the Commission?

The LORD ADVOCATE, in reply, said, the Government had considered the Reports referred to by the hon. Gentleman. They contained a large amount of valuable information with regard to the endowments relating to the elementary and secondary schools in Scotland. The Commissioners laid down certain principles which they recommended should govern the application of these endowments, and they recommended that an Executive Commission should be created to carry out the changes they proposed. As at present advised, the Government did not see their way to adopt the recommendation for the appointment of an Executive Commission. He might say, however, that, although the matter was still under consideration, they thought powers should be given to the local bodies and trustees themselves to adapt the management of the institutions under their control to the circumstances and wants of the present time.

METROPOLIS—REMOVAL OF SNOW.

QUESTION.

Mr. HEYGATE asked the Secretary of State for the Home Department, What instructions are given to the Metropolitan Police, in order to secure the observance (in the event of a fall of snow) of the 60th section of the Act 2 and 3 Vic. c. 47, whereby a penalty "not exceeding forty shillings for each offence" is directed to be imposed on "every occupier of a house or tenement in any town within the said district who shall not keep sufficiently swept and cleansed the premises occupied by him," and, in the absence of any occupier, upon "the owner thereof?"

Mr. ASSHETON CROSS, in reply, said, that the duty of enforcing the regulations for the removal of snow rested with the vestries and the district boards; and that, acting upon the instructions of those bodies, the police had been very active in calling the attention of the inhabitants of the houses to the necessity for carrying out those regulations.

INLAND REVENUE—TAXES ON CASUAL SERVANTS.—QUESTION.

Sir HENRY PEEK asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to more than one prosecution recently carried on at the instance of the Board of Inland Revenue or its officers, whereby certain persons employing boys for the casual services of boot and knife cleaning have been brought before various benches of magistrates and fined for not entering such boys (many of whom go regularly to school) as men servants for whom payment to the Revenue should be made; and, whether he will take some steps either immediately or during the coming financial year to stop such practice on the part of the Board and its officers?

The CHANCELLOR of the EXCHEQUER, in reply, said, he had heard complaints as to the prosecutions against persons for employing boys for the casaul services of boot and knife cleaning and not entering them as men servants. He had made inquiries of the Board of Inland Revenue, and was informed that the Board did not consider the employment of boys for casual services in knife and boot cleaning—who jobbed their services to several employers—was liable to be taxed. The prosecutions which had taken place were in cases where a boy was regularly employed by a single employer in domestic duties. Such employment the Board considered did render the employer liable, because the law distinctly defined the term "male servant," not "man servant," to mean any male servant employed, either wholly or partially, in specified domestic affairs. The Board felt that in face of that definition they would be neglecting their duty if they did not collect in the ordinary manner this tax which Parliament had imposed. The fact that the persons prosecuted were fined proved that the Commissioners were merely carrying out, and not exceeding the law. In old time there was a limit of age, but this became a fruitful source of evasion, and it was omitted when the present licence duty was imposed in 1869.

ARMY MEDICAL SERVICE — CIVILIAN DOCTORS.—QUESTION.

MR. WARD asked the Secretary of State for War, How many civilian medical men are at present employed in the United Kingdom doing duty with troops?

MR. GATHORNE HARDY, in reply, said, that several civilian medical men were employed in the Army in the place of certain military medical men who were absent on leave, and some of them were attached to the auxiliary forces on special occasions.

NAVY—THE ARCTIC EXPEDITION.

QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, What arrangement he proposes to make to follow up the track of the Polar Expedition this year, with a view if possible to communicate with the ships; whether it is proposed that Captain Allen Young, in the "Pandora," should on his proposed voyage to the position of the "Erebus" and "Terror," fifteen miles N.N.W. from Cape Franklin, endeavour also to perform this service of following the expedition now absent in an opposite direction; and, whether a vessel will be sent which shall be exclusively devoted to effecting a communication with the Arctic ships?

MR. HUNT: Sir, the arrangements made by the advice of the Arctic Committee, and with the full approbation of Captain Nares, provided for the sending out of a relief ship in the Spring of 1877 to the entrance of Smith's Sound, unless the Expedition should have previously returned. A letter received from Captain Nares states his intention of sending a sledge party down to that locality in the Spring of 1876, if possible, with despatches, for the chance of a ship from England calling there. The Admiralty have arranged with Captain Allen Young, who was contemplating a voyage to the Arctic regions this year in his yacht, to look for cairns in which such despatches might be deposited; and he has, with great public spirit, consented to make this the primary object of his voyage, undertaking to bring home any such despatches, unless he can find means for sending them to England otherwise.

CATTLE DISEASE (IRELAND)—PLEURO-PNEUMONIA.—QUESTIONS.

MR. J. W. BARCLAY asked the Chief Secretary for Ireland, When the regulations for slaughtering animals affected with pleuro-pneumonia will be put in force?

SIR MICHAEL HICKS-BEACH: Sir, for reasons which I have stated on previous occasions to the House, and which arise partly from the special circumstances of Ireland, but much more from the existing state of the law with regard to cattle diseases in that country, the Irish Government have felt unable to issue an Order for the compulsory slaughter of animals affected with pleuro-pneumonia. I hope in a few days to introduce a Bill proposing certain alterations in the law in order to meet the difficulties which have hitherto existed, and to enable us to secure uniformity of regulations on this subject throughout the United Kingdom.

Afterwards—

CAPTAIN NOLAN asked the Chief Secretary for Ireland, Under what system will veterinary advice be afforded in Ireland to decide whether Cattle reported to have been attacked by pleuro-pneumonia are or are not affected with that disease?

SIR MICHAEL HICKS-BEACH, in reply, said, it would perhaps be more convenient that he should defer any statement on the subject until he introduced the Bill relating to it.

METROPOLIS—PUBLIC OFFICES AND IMPROVEMENTS.—QUESTION.

MR. JAMES asked the First Commissioner of Works, If it is the intention of the Government to introduce a Bill for the purpose of appropriating the area within Charles Street, King Street, Great George Street, Westminster, and St. James's Park for the erection of Public Offices and improvements to the street approaches to the Houses of Parliament; if so, whether he will state further to the House the object of these contemplated changes, and their probable cost; and, if he can lay upon the Table the Plans and Estimates relating to the subject?

Lord HENRY LENNOX: Yes, Sir, I have received the directions to prepare a Bill for the acquisition of the area included in the Question of the hon. Member for Gateshead. The object of that is to effect the concentration of the Government offices, now very inconveniently scattered in different parts of London. I am happy to think, also, that in carrying out this very necessary work a great public improvement will be effected. The plans for the distribution of the various offices are still under the consideration of Her Majesty's Government; but when I introduce the Bill I will take care that both the plans and the estimates for the purchase of the area and for the erection of the offices shall be in the hands of hon. Members.

BRAZIL — OUTRAGE ON A BRITISH SUBJECT.—QUESTION.

Mr. ANDERSON asked the Under Secretary of State for Foreign Affairs, Whether his attention has been called to an alleged outrage on a British seaman on board a French vessel called "La Cygne" at Pernambuco; and, whether he has any official information on the subject, or has taken any steps to procure it?

Mr. BOURKE, in reply, said, the attention of the Foreign Office had been called to this outrage within the last hour by a communication from the Board of Trade; but before taking action it would be necessary to communicate with the British Consul at Pernambuco, because the information he had sent to the Board of Trade was very incomplete.

MERCANTILE MARINE—RULE OF THE ROAD AT SEA.—QUESTION.

Sir JOHN HAY asked the President of the Board of Trade, If the departmental Committee appointed last year to consider the Regulations in the Merchant Shipping Act, commonly styled the Rule of the Road at Sea, has reported; and, if so, if he will lay the Report upon the Table of the House?

Sir CHARLES ADDERLEY: Sir, the Committee appointed by the Admiralty, the Trinity House, and the Board of Trade to consider the regulations for preventing collisions at sea have reported. Their Report, recommending certain amendments in the regulations, has been approved by the three Departments, and the proposed amendments will at once be submitted to foreign Governments. I will lay upon the Table of the House Papers showing what the proposed amendments are.

POST OFFICE—TELEGRAPH STAMPS.

QUESTION.

Mr. ANDERSON asked the Postmaster General, If he is aware that the recent order on the subject of Telegraph Stamps is much disliked by the mercantile community, and if he will explain the necessity which has led to the change, and say whether he intends the order to be strictly interpreted and enforced?

Lord JOHN MANNERS, in reply, said, he was not aware that the order in question had occasioned any inconvenience to the mercantile community. The change that had been adopted was an economical one, and he hoped that by means of it many thousands a year would be saved in salaries throughout the Kingdom. In order to produce that result, it would be necessary that the order should be strictly enforced.

NATIONAL SCHOOL TEACHERS (IRELAND).—QUESTION.

Mr. MELDON asked the Chief Secretary for Ireland, Whether it is the intention of the Government to introduce any measure during the present Session for the improvement of the condition of the Irish National School Teachers as regards their salaries or pensions; and, whether anything will be done to indemnify the teachers in the non-contributory unions for loss of pay in consequence of the guardians in such unions having refused to become contributory for the years 1875 and 1876?

Sir MICHAEL HICKS-BEACH: With regard to the second part of the hon. Member's Question, it appears to me to be based on a misunderstanding of the arrangement which was agreed to by Parliament last year, under which provision was made for granting to the teachers of schools in contributory unions an additional sum for results' fees equal to that voted by the Guardians. The teachers of schools in non-contributory unions have not, of course, benefited by this, nor was it expected that they would; but even they have, as a body, received more in salaries and results' fees combined than they did in previous years. With regard to the first part of the Question, I must remind the hon. Member that the Act to which his Question refers only became law at the close of last Session, and has therefore been as yet so short a time in operation that the time can hardly be said to have arrived for amending it, particularly as its results has been to place the teachers' emoluments in a large and increasing number of Irish unions in a very satisfactory position. The question of pensions is still under the consideration of the Government.

NOXIOUS NUISANCES—LEGISLATION. QUESTION.

COLONEL EGERTON LEIGH asked the President of the Local Government Board, Whether there is any intention this Session of bringing forward a Bill for the repression of Noxious Nuisances?

MR. SCLATER-BOOTH: I am afraid I am unable to say anything more definite in reply to my hon. and gallant Friend's Question than that the subject is, and has been for some time, under the consideration of Her Majesty's Government.

ARMY—THE BARRACKS AT ALDERSHOT.—QUESTION.

MR. A. M'ARTHUR asked the Secretary of State for War, If it be true, as stated in a letter to "The Daily Telegraph," said to have been written by a Major in the Army at Aldershot, that three and often four families are crammed together in one room, without any attempt at separation even by screens and curtains?

MR. GATHORNE HARDY: Before the letter to which the hon. Gentleman refers appeared in *The Daily Telegraph* a complaint had been addressed to the War Office on this subject. Upon inquiries being made I found that in the Royal Artillery Barracks at Aldershot there was such a state of things as the hon. Gentleman speaks of—namely, four families in one room, in which there was no separation by screens or canvas. Directions have been given that such a state of things should be immediately put an end to.

PERU—GUANO.—QUESTION.

MR. M'LAGAN asked the Under Secretary of State for Foreign Affairs, Whether, seeing that the price of Peruvian guano is at present nearly £3 per ton higher in this Country than in America, Her Majesty's Government has called upon the Peruvian Government to equalise the price in the two Countries, in terms of a promise made on a former occasion by the Agent of the Peruvian Government, viz. that "the same price would in future be charged in this Country as was charged in America?"

MR. BOURKE, in reply, said, that the Government had again urged upon the Peruvian Government that England was fairly entitled to receive the "most favoured Nation" treatment in this matter.

TURKEY—BOSNIA AND HERZEGOVINA. QUESTION.

MR. BRUCE asked the Under Secretary of State for Foreign Affairs, When the Papers relating to the insurrection in Bosnia and the Herzegovina will be laid upon the Table of the House?

MR. BOURKE, in reply, said, the Papers were extremely voluminous. They were being prepared, and he hoped that in a short time they would be in the hands of hon. Members.

MR. BRUCE gave Notice that on an early day he would call the attention of the House to and move a Resolution on the subject.

METROPOLIS—PICCADILLY AND GROSVENOR PLACE.—QUESTION.

SIR CHARLES LEGARD asked the First Commissioner of Works, If he proposes that the road from Piccadilly across the Green Park to Grosvenor Place, the Plan of which was placed before Parliament last Session, shall be soon commenced?

LORD HENRY LENNOX: In answer to the Question of my hon. Friend the Member for Scarborough, I am here to admit, with great regret, that I do not see my way to carrying out the scheme of a road across the Green Park which was laid down on the model exhibited in the Conference Room during last Session. The model and the gradients marked on it were perfectly correct; but at the close of the Session I received communications from gentlemen of great experience, pointing out several serious drawbacks to the scheme which, I must confess, had up to that time escaped my notice. After going over the ground again, I felt there was so much force in some of these criticisms that I thought it better not to proceed with the work at that time. I have nothing further to add, Sir, but to express a hope that the House may be of opinion that, in the interests of the public service, it was better that I should stand here and with great regret confess to an administrative disappointment rather than that I should have forced on the carrying out of my scheme, to which some serious objections had been rightly and justly urged.

MERCANTILE MARINE—UNSEAWORTHY SHIPS—RETURNS.—QUESTION.

MR. PLIMSOLL asked the President of the Board of Trade, In how many cases, if any, a ship has been detained for survey on a requisition signed by one-fourth of the crew?

SIR CHARLES ADDERLEY, in reply, said, a Return giving the information asked for by the hon. Gentleman was laid on the Table on the first day of the Session. In 22 cases ships had been detained on the application of one-fourth of the crew. In 16 cases ships had not been detained, in consequence of such complaints being considered frivolous by the Court.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed until after the Notice of Motion for a Bill relating to the Royal Titles.—(*Mr. Disraeli.*)

ROYAL TITLES BILL.

LEAVE.

MR. DISRAELI moved that the Paragraph in the Gracious Speech from the Throne relating to India and the Royal Titles be now read from the Table.

Motion *agreed to.*

Paragraph from Her Majesty's Speech read:—

> "I am deeply thankful for the uninterrupted health which My dear Son, the Prince of Wales, has enjoyed during his journey through India. The hearty affection with which he has been received by My Indian Subjects, of all classes and races, assures Me that they are happy under My rule, and loyal to My throne. At the time that the direct government of My Indian Empire was transferred to the Crown, no formal addition was made to the style and titles of the Sovereign. I have deemed the present a fitting opportunity for supplying this omission, and a Bill upon the subject will be presented to you."

MR. DISRAELI: After the reading of that paragraph in the Gracious Speech from the Throne, I have now to ask leave of the House to introduce a Bill which will enable Her Majesty to add to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies. After what we have heard from the Table the House will not require me to inform them that the change contemplated by Her Majesty refers to India. At the time when the Government of India was transferred to Her Majesty by the East India Company, who were her trustees, the propriety of some addition of this kind to the Royal Style and Titles was felt by persons of considerable authority in these matters, and was considered by the Government of that day, of which I happened to be a Member. The proposition was not at that time adopted; but, on the other hand, it was not negatived. There existed circumstances at the time which made us think that it might be premature; but the idea was not relinquished, and it has been one that has often occupied the speculations of those interested in Indian affairs. Since that period—since the transfer of the direct Government of India to the Queen—the interest felt by the people of this country in India has greatly increased. It has become every year deeper and wider. I remember when I first entered this House, now about 40 years ago, that there were, I believe, even Members of Parliament who looked upon India as a vast country which, generally speaking, was inhabited by a single and by a subjugated race. But since then information has been so much diffused among all classes of our countrymen on the subject of India, that even those who have the most ordinary information are now well aware that India is an ancient country of many nations; that it is peopled by various and varying races, differing in origin, in language, in religion, in manners, and in laws—some of them highly gifted and highly civilized, and many of them of rare antiquity. And this vast community is governed, under the authority of the Queen, by many Sovereign Princes, some of whom occupy Thrones which were filled by their ancestors when England was a Roman Province. The presence of the Prince of Wales in India has naturally increased and stimulated this feeling of sympathy in both countries. It is not for me to offer compliments to a Prince so near the Throne, but in fulfilling a public duty the language of truth may be permitted; and I am sure that I am justified in saying that, throughout this great enterprize on his part, his demeanour and his conduct have been such that he has proved that it is not his birth only which qualifies him for an Imperial post. Under all these circumstances, we have considered that the time has arrived when the original intention of Her Majesty and her Advisers should be carried into effect; and I have therefore to ask the House to-night to introduce a Bill which consists of only one clause, which will enable Her Majesty, by Proclamation, to make that addition to her style and titles which befits the occasion. In taking this course I am following a precedent, the validity of which, I think, cannot be impugned. At the time of the Union with Ireland, in the Act of Union itself, there was a proviso enabling the Sovereign, when the Act was passed, to announce, by Proclamation under the Great Seal, the style and title he would assume; and, accordingly, His Majesty King George III. issued a Proclamation under the Great Seal, and adopted the title of King of the United Kingdom of Great Britain and Ireland and its Dependencies. I propose in the present instance to take the same course. I have to ask the House to-night to give me leave to bring in a Bill which will enable Her Majesty to exercise her high prerogative, and to proclaim the addition to her style and title which she deems expedient and proper. I trust that the House will support Her Majesty's Government in the course they are adopting; because we have reason to feel that it is a step which will give great satisfaction not merely to the Princes, but to the nations of India. They look forward to some Act of this kind with intense interest, and by various modes they have conveyed to us their desire that such a policy should be pursued. I cannot myself doubt that it is one also that will be agreeable to the people of the United Kingdom; because they must feel that such a step gives a seal, as it were, to that sentiment which has long existed, and the strength of which has been increased by time, and that is the unanimous determination of the people of this country to retain our connection with the Indian Empire. And it will be an answer to those mere economists and those foreign diplomatists who announce that India is to us only a burden or a danger. By passing this Bill, then, and enabling Her Majesty to take this step, the House will show, in a manner that is unmistakable, that they look upon India as one of the most precious possessions of the Crown, and their pride that it is a part of her Empire and governed by Her Imperial Throne. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. LOWE: Sir, I cannot doubt that Her Majesty's Ministers would not have introduced this measure to the attention of the House unless they were aware that such a measure would be agreeable to Her Majesty's feelings. It is, therefore, doubly difficult for anyone to state any doubts or objections he may have on the subject. But this matter does not only concern Her Majesty—though, no doubt her feelings and wishes in regard to it are entitled to the greatest possible consideration, and I am sure they will always receive it from this House—but it also concerns the people of this country; and the view I take of it is that it is not without importance to their welfare. I hope, therefore, I shall not be thought to be acting disrespectfully in taking the opportunity of the first reading to lay before the Government and the House the objections which occur to me on this subject. I trust they may be carefully considered before the Bill reaches its second reading; and this, perhaps, may be the means of obviating some complications which it would be most desirable, if we can, to avoid, because the House can have no desire to do anything consistently with their duty, not agreeable to Her Majesty. I beg to be understood, then, as wishing merely to suggest to the consideration of the Government points of sufficient importance, as I think, to justify me in taking the rather unusual step I am taking at this time. Now, the first thing which it would be desirable to know is the exact meaning of the word "Imperial;" because, although the right hon. Gentleman has most properly foreborne from anticipating what use Her Majesty may make of the power proposed to be given her, we all know pretty well that what is pointed at is the addition of some title taken from her Indian dominions, and that title, I apprehend, can be only one of two—either that of "Queen" or that of "Empress." Now, I think it is extremely desirable that we should know, when we are dealing with this question, what we exactly mean by "Imperial," and what is implied by the word "Empress." Let me point out what is the law on this subject. It is not very abstruse. The notion of the Crown of England being an Imperial Crown is a very old one, as the 24th & 25th of Henry VIII. will show. At the time he had his quarrel with the Court of Rome he passed two successive Acts declaring the Crown to be an Imperial one. That was reiterated when James I. succeeded to the Crown of England and Scotland, and it was again reiterated in the year 1800 at the time of the Union of Great Britain and Ireland. It is, therefore, perfectly well established that the Crown of the United Kingdom of England, Scotland, and Ireland is an Imperial Crown. But still it remains to be seen what an Imperial Crown means. Blackstone, in his Commentaries, shows clearly that it means something very different from what was supposed by many persons. In page 497 of the second volume of *Stephens' Blackstone*, reference is made to the fact, that formerly the ridiculous notion existed that an Emperor could do many things which a King could not, and that all Kings were subordinate to the Roman and German Emperors. The meaning of the Legislature in using the word imperial was only to assert that a Sovereign was as supreme in this Kingdom as an Emperor was in his, and was not subject to any Potentate on the earth. Well, then, that being the meaning, what is the state of the case with regard to India? Is not India precisely in the position of an Imperial Crown? There is nobody else who can set up any claim of supremacy over Her Majesty, who holds the uncontrolled and undivided sovereignty of India. The matter, then, resolves itself into this—Her Majesty has precisely the same rights over the United Kingdom as over India, and yet—I am now going on the supposition that the title of Empress will be chosen—Her Majesty is to be called the Queen of one and the Empress of the other. In other words, we are to have the same thing designated by two different names. I can see no advantage which can possibly follow from that. To designate the same thing in different ways can only lead to confusion and mischief. It is, in fact, opposing two things to each other, between which there is no opposition at all. Then the practice of the country is worth notice. As the right hon. Gentleman has said, the Act of Union of 1800 authorized the style and title of King or Queen for the Sovereign of the United Kingdom, and accordingly on the 3rd of January, 1801, George III. declared his style and title to be that of "King of Great Britain and Ireland, Defender of the Faith." My memory is at variance with that of the right hon. Gentleman as to the use of the word "dependencies," though I do not pretend to put my recollection against that of the right hon. Gentleman; but according to my recollection in the Proclamation the word "dependencies" is not to be found. That is a matter of great importance in this question. The King took as his description in Latin *Georgius Tertius, Dei Gratia, Britanniarum Rex, Fidei Defensor*, and in English he was described as "George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith." I quote this Proclamation at this particular time to show, that although George III. was possessed of an Imperial Crown, yet, acting on the advice of statesmen and lawyers as eminent as any who ever adorned Parliament, he did not think fit to take the title of Emperor, but contented himself with that of King. Then we come to the transfer of India to the British Crown, in 1858. Here we have a precedent of particular importance, because it may be said to have received the assent of two distinct Governments, having been prepared originally by the Government of Lord Palmerston and completed by that of Lord Derby. Both Governments, no doubt—certainly that of Lord Palmerston—very carefully considered the question, and did not think it advisable to add anything to Her Majesty's title. In these matters precedent goes for a great deal, and I have just brought under the notice of the House two cases in which the title of Emperor might have been and was not assumed by Sovereigns of this country. I question very much the expediency of breaking away from a custom established for so many centuries, in the matter of the title of our Sovereigns. But though this is the legal meaning of the title of Emperor it has in ordinary parlance a very different meaning. If what it is now proposed to do is right, there is no reason why Henry VIII. might not have called himself by the title of Emperor. Indeed, before the Conquest some of our Sovereigns did call themselves by the name of Emperor; but as the nation improved, and as liberty increased, they fell back on the good old title of King. The constitutional maxim laid down by legal writers is, that the King ought to be under the law because the law makes the King. The law of Imperial Rome says just the contrary. The doctrine it lays down is that in all things the will of the Emperor is to be accepted. That is the popular notion of an Emperor. Another idea entertained concerning an Emperor is, that he is one who has gained his power by the sword, and that he holds it by the sword. But if we consider a little shall we find it wise and prudent, in dealing with a country like Hindostan, to make a marked distinction between the two countries by giving to our Sovereign a title which implies obedience to law, and to their Sovereign a title which implies the supremacy of force? Why should we give the idea that we won India by the sword, and that we mean to keep it by the sword? That may be true; but is it wise to state it? Is it not one of those things that had better not be put prominently forward? The Emperors of Hindostan were Mahomedan conquerors. Would it be wise or prudent in us to confound in name our wise and beneficent government with that of the Rulers who preceded us? Would it not be much better for us to teach the Natives of India that those men reigned for their own pleasure and gratification, the welfare of their people being a secondary consideration; and that our object, on the contrary, is simply to do as much good to the people under our Government as possible, and to spend their money, not in luxury, debauchery, and show, but in promoting their interests materially and morally? There is another objection to the title of Empress—a rather sentimental one perhaps, but which has, nevertheless, some weight with me, particularly as we know that "young India" now reads classics and history. Which would furnish the better associations in their minds? Whether the memories and deeds of the noble line of Kings that have reigned in England from the time of Egbert, who have associated their names with the glories of her history, and with the triumphs of her civilization; or of the wretches who have filled the throne of Imperial Rome, who have been often raised to their position by military violence, and who sank below ordinary human nature in debauchery and crime? If we have two sets of associations, why choose the worse? Taken altogether, our history for 1,000 years will compare favourably with that of any other country in the world for the same period. What I would urge in view of all this is that the assumption by Her Majesty to the title of Empress of India would not be a wise or judicious course. There still remains the question—which I have not yet touched upon—whether Her Majesty might not with propriety assume the title of Queen of India. I am sure the House will see, even if this discussion be rather dry, how very desirable it is that matters which are not fully understood by everybody should be fully stated. As far as I am concerned, it is my utmost wish, if we can, to comply with Her Majesty's desire. Suppose we say the Queen of India. The Queen is Defender of the Faith. "Defender of the Faith" is a title which has done much hard work in its time, from the period when

Henry VIII. received it for supporting the Roman Catholic faith, and retained it after he had suppressed that faith. Therefore, as the title has borne so much, it may be considered that it can bear a little more. Supposing it to be the wish of Her Majesty to assume the title of Queen of India; the title would run something like this—Her Majesty, Queen of Great Britain and Ireland and India; Defender of the Faith. Then the question would arise, "Whose faith?" If we were to take the grammatical construction, it would mean the faith of India; but some people might wish to be more explicit and add an "s," so that it would read Defender of the Faiths. This is a difficulty which I do not say might not be overcome, but I do say it is not merely ludicrous. It illustrates the difficulty of putting on new titles upon those old time-worn English titles which have got a meaning of their own beyond what they had when they were first instituted. It is, in fact, like putting a new patch on an old garment. I have two other difficulties on this question which I wish to state, and one of these is that I suppose there is no greater marvel in the world than the conquest of India by England, except the feat of retaining it at this moment. Most of us remember how very near we were losing India some 20 years ago. ["No!"] Well, that was the impression then, at any rate. Suppose the Crimean War had lasted another year, and then that the rebellion had taken place, instead of giving us nearly a year's breathing time, might not this country have been put to a great extremity? It is quite possible, at any rate. We cannot regard our position in India with the confidence we feel with reference to the possession of Hampshire or Sussex. I want to know what sort of feelings the Parliament of the day would have when they came to alter the style of Her Majesty and blot India out from her titles. We once believed ourselves to be the conquerors of France, and our Kings assumed the title of Kings of France; but the French beat us out of France, and left us only with a single small town in it. In 1450 our chance of ruling it was utterly destroyed; but how long was it before we could make up our mind to give up the title of "King of France?" It was not till 1801, 350 years after the last possible opportunity of getting it back had disappeared, and some 130 or 140 years after our King had condescended to live upon the moneys doled out to him by Louis XIV. That shows the inconvenience of loading yourselves with titles which you are not sure of retaining. The last objection which I have is much more powerful, and I hope it will receive the serious consideration of Her Majesty's Government—a favour which I hope will also be extended to to the other points I have urged. The Queen is Sovereign of other dominions besides that of the United Kingdom. Among these other dominions is India; but India is not the only one, and it is by no means the most important one. Certainly, it is not the dominion of which we have most reason to be proud. There is no use going back on the history of our connection with India; what is done is done. We gained our Colonies in gallant action, fighting our equals in civilization and the arts of war. We won them gloriously, we held them by the strong hand, and none of them have since had any reason to repent that they came under our rule. We planted them with a hardy and industrious race of men, and enabled them to become in due time the mothers of nations, and the seeds themselves of great Empires. There is nothing of which England has more reason to be proud. We have founded colonies, like Australia for instance, of which we have every reason to be proud, without shedding a drop of blood. Well, what do you think these great communities will say if they find India—of which I will say nothing that is not perfectly fair and respectful—selected to be placed above them, although in no respect so important to this country? It will be putting aside our own flesh and blood, our own descendants, who have so nobly vindicated the character of England in every quarter of the globe, by their industry and success, in order to bestow this extraordinary mark of Royal favour and approbation. Having been a colonist myself I am quite certain this slight will be extremely felt. I should be sorry to find it was not, because it would prove, what I do not now believe, that our fellow-countrymen in the different colonies and dependencies of England do not care whether or no their connection with the mother country is maintained. No doubt it would be a sufficient answer, if the right hon. Gentleman could give it, to say that the colonies were mentioned in the Royal style, and, therefore, that we only have to add India to complete it. But the colonies never have been mentioned. The definition of a colony is a settlement beyond the seas to which Acts of Parliament do not apply unless it is named in them, but which is under the Crown. The colonies are no parts of the United Kingdom, nor are they, properly speaking, dependencies — these words apply to the Channel Islands and the Isle of Man. To pick out India now, and put a slight on all these great communities, is a matter which I think ought to be well weighed by the House. If my argument has more warmth than my undertaking warrants, my excuse is that I wish the question may be fully and completely laid before the House, the Government, and Her Majesty; and I hope, if these difficulties cannot be avoided, that their statement will lead to a re-consideration of the whole question, or if they can, when the measure again comes before us, that it will be in such a form that we shall have no difficulty in accepting it.

SIR GEORGE CAMPBELL said, he thought it right to disclaim any community of feeling with the right hon. Gentleman who had just spoken, so far as regarded the particular arguments which he had adduced. Being connected with India himself, he was proud Her Majesty was about to take a title which would indicate that we had taken India, and that we meant to keep it. He was not afraid that Her Majesty should take the title because a day might come when this country would lose India. He doubted if that time would come; and he did not believe it would come for a long time. He thought it well that Her Majesty should mark the position which this country held in relation to that country, by assuming a title connected with India. What that title should be it was not for him to say; but he must remark that he hoped the title would be one which would distinctly mark the Imperial character of our rule. He thought that the time had come when Her Majesty should assume in name, as in effect, the position hitherto occupied by the Great Mogul in India. When he said that he did not mean that Her Majesty should personally assume the position of an absolute Sovereign; but he said that She, as the Representative of the British Nation, should occupy Imperial power, and be superior to all other power in India. The right hon. Gentleman at the head of the Government had said that India under Her Majesty was ruled by Princes; but four-fifths of India was not ruled by Princes at all, and our greatest interest was connected, not with the Princes, but with the ryots of India. No doubt, a considerable portion of India was ruled by Princes under the British Government; but he thought that the right hon. Gentleman was in error when he spoke of them as coming of ancestors who held their position when Britain was a Roman province. The history of the Princes in India was very much shorter than that, for all the greatest of them were creations of the last century. The only Princes who were of very ancient ancestry were the chiefs of clans, like the Highland clans in this country. He did not know that there was any Prince with a very ancient family who held a higher historical position in India, at any rate in his eyes, than the Duke of Argyll in Scotland. He repeated that the ancient Indian Chiefs were very much in the position of our Highland Chiefs; but there were more modern families who occupied, under the Great Mogul, a very high position, as they did now under Her Majesty. It was politic, therefore, that some title should be taken by Her Majesty to mark her superiority to those Princes; but, as regarded the position of Her Majesty in relation to this country, it was not desirable that She should hold personally the position of the Great Mogul in India; and he assumed that Her Majesty's Ministers would take such measures that Her position would not be inconsistent with the control of Parliament, and that it should be within the four corners of the Constitution of the Realm.

SIR GEORGE BOWYER said, that they had had a long dissertation from the right hon. Gentleman (Mr. Lowe) upon a subject which was not really before the House. He had assumed that Her Majesty would be advised to take the title of Empress of India; but there was nothing before them to show this. As the question, however, had been raised in the course of the discussion, he (Sir George Bowyer) would say a word or two about it. The right hon. Gentleman had said truly that the Crown of this Realm had always been held to be Imperial, in order to meet the idea that an Emperor held power over a King; but he (Sir George Bowyer) apprehended that if Her Majesty should decide to take the title of Empress of India She would take that title in a very different sense from that in which the Crown of England was called Imperial, which was with the view of asserting that that Crown was not inferior to that of any other country. History showed that the title of Emperor was derived from the Roman Empire—from Cæsar; and the idea of a Roman Emperor was that of a King over other Kings, a potentate who had for subjects tributary Kings. This seemed to him to meet the difficulty which had been raised. In India the Queen was undoubtedly the Sovereign over Sovereign Princes. It might be all very well to compare the Princes of India to the Duke of Argyll; but the right hon. Gentleman at the head of the Government was perfectly right, for there were Rajahs in India, Sovereign Princes, whose families went back more than 1,000 years, and whose ancestors had always been great Princes in that country. There were other Princes whose origin was more modern, who had great armies and vast territories—as, for example, Scindia. The idea of an Emperor, that of King over Kings, was an Oriental idea, as was shown by the title Shah-in-Shah, and the Queen in India might well be called a Sovereign over Sovereign Princes. He thought that this was a sufficient answer to what had been said by the right hon. Gentleman (Mr. Lowe). Then the right hon. Gentleman came to the title "Queen of England," and he was so difficult to be pleased that he was not even satisfied with that. He said that what was proposed would offend the Colonies. But the Sovereign's title had never been taken from the Colonies. Sovereign titles also were mostly taken from conquest, and we had taken India by conquest. Then he objected to the title of "Defender of the Faith;" but he (Sir George Bowyer) did not see any difficulty in disposing of that obstacle. The Queen might be called "Queen of Great Britain and Ireland, Defender of the Faith, and Queen of India." This would dispose of the objection which had been raised. He was sure that the assumption of a title by Her Majesty—be it that of Queen or Empress—with reference to India would give great satisfaction in that country. It would give the inhabitants of India the feeling that they were no longer to be ruled as a dependency acquired by conquest, but that both the Sovereign and people of England took a pride in that great Eastern dominion, with its population of 240,000,000, and were beginning to have a deeper interest in its welfare. The notion of governing India by the sword—at one time a necessity—was, he hoped, for ever abandoned, while he had every confidence that the proposal of the Prime Minister, if carried, preceded as it would be by the visit of the Heir to the Throne to India, would convince the people of that country that we were anxious that our rule there should be one of strict justice, and that our desire was that we should long continue to possess her to be an honour and a glory to the Imperial Crown.

Mr. W. E. FORSTER: I merely rise for the purpose of saying that, though I do not complain of the form in which this Bill is brought before the House—that of giving power to the Queen to assume what title She may think fit—yet I venture to say that I trust the House will be informed before the second reading what the title will be. I do not think that we should be departing from our respect for the Queen, or that we should not be showing due deference to Her wishes—and, indeed, I think that we should not be doing our duty as subjects—if, in a matter so closely connected with our position as subjects, we did not take the opportunity of expressing our opinions with regard to this title. I confess that I think it is possible that a title might be assumed to which we might, from motives of loyalty, feel that we ought to make some objection. I agree with my right hon. Friend that the word "Empress"—although I do not know that either the Minister or the Crown would suggest that title—is a word not very suited to English ideas, and the Imperial idea of government is not one very pleasing to English feelings. I would prefer the old phrase of King or Queen. Again, if we are to make this an opportunity to convey an impression to our Indian fellow-countrymen, let us endeavour to convey a true one. If we convey the idea of personal rule, it would not be a true impression. The Queen governs over them, as over us, with the assistance of the Lords and Commons—of her Parliament; and it would not be right, or wise, or true to give a notion to the vast multitudes of India that in her dominion they would have anything approaching a personal government. Another reason why I am very anxious to know what the title is to be is the possibility of what may be omitted. If there is any change, there ought to be an allusion to the colonies. It would be a slight to them if they were omitted. So long as our Sovereign is called King or Queen of Great Britain and Ireland they were included; but if India be picked out the colonies will feel that they ought at least to be mentioned. I do not doubt that is found to be a practical difficulty. The Prime Minister was under the impression that in the first year of this century a Proclamation was made alluding to the "dependencies." The right hon. Gentleman would see that that was not the case. [Mr. DISRAELI: It is in the Act.] What is in the Act is, that there is power to do so if the King should think fit. The Act says that—

> "the country shall pass by the name of the United Kingdom of Great Britain and Ireland, and that the Royal style and title appertaining to the Imperial Crown of the United Kingdom and its dependencies should be so as by our Royal Proclamation we should appoint."

There is, however, no mention of the dependencies in the Proclamation, and this shows practically the difficulty. Of course, the right hon. Gentleman would not think of calling our vast colonies now "dependencies," and I am only pointing this out as a practical difficulty. A difficulty, I suppose, was felt at the time of the change of rule in India, for the Proclamation there alludes to both colonies and dependencies. It was never issued in England or passed by the Council in England; but I suppose it was sent here for approval by the Council, and I find it in *The Times* of December 6, 1858. It is a Proclamation by the Queen in Council to the Princes and people of India. It is stated to be by the "Queen of Great Britain and Ireland, and the Colonies and Dependencies thereof in Europe, Asia, Africa, America, and Australasia;" and I think it is desirable that this should be borne in mind. If after this India was added, and no allusion made to the great colonies of Canada and Australia, I think there would be a discontent, which I should be glad to see exist, because the absence of it would show disloyalty.

SIR EDWARD COLEBROOKE desired to express his total dissent from the observations of the hon. Member near him (Sir George Campbell), and he hoped this debate would not close without Her Majesty's Government giving some disavowal to the proposal that, in assuming this new title they were advising the Queen to assume new powers and new prerogatives as regarded the Princes of India which the Queen did not at present possess. It was to be very much deprecated that it should go forth to the people of this country and of India that observations had been made in this House by a Gentleman having a large acquaintance with India, calling upon the Government to advise Her Majesty to assume the powers of the Great Mogul. Having some knowledge of India himself, he strongly protested against anything of the kind, because it was most unadvisable and dangerous. Many years ago a certain doctrine was started by a former Governor General of India as to their being Lords Paramount of India, which had its effect in the assertion of the Government with regard to cases of adoption. The power they had received a rude shock in the Sepoy War, and at its close, when the Government of India was assumed by the Sovereign of this country, the Government of the day issued a Proclamation disavowing those doctrines, and announcing that the rights of succession which the Native Princes held so dear would be respected. That precedent might, in his opinion, be followed at the present time. He would not enter into the question as to the meaning of the titles of Emperor and King; but he thought the people of India would watch the matter very closely and anxiously, to know if under it any extra power or authority was assumed; and in the event of the House advising Her Majesty to adopt this new title, a Proclamation ought to go forth assuring the Native Princes and the people of India generally that no more was meant by the title than the words themselves conveyed. With regard to the Native Princes, of whom his hon. Friend had spoken so slightingly, and almost contemptuously — [Sir GEORGE CAMPBELL: No, no!]—well, perhaps he meant to compliment them by comparing them to Lord Lorne. These Native Princes held their rights under treaties by which they entered into voluntary engagements with the British Government, and which placed them, it was true, in a certain position of dependency; but they were as much the champions of their rights and held them as dearly as the inhabitants of this country do the liberties they enjoy. Nothing was more to be deprecated than our assuming power beyond these treaties.

MR. NEWDEGATE, while no one was more anxious that everything should be done to secure and, if possible, enhance the dignity of Her Majesty's titles, hoped nothing would be done to disturb, directly, or indirectly, or in any way, the title by which the Queen and Her Majesty's predecessors had been long honoured as Kings and Queens of the United Kingdom. He remembered that in 1850, with reference to the question of a new coinage, an attempt was made to abridge the title of Her Majesty. It was sufficient at that time to call the attention of the House to the change that was contemplated, in order to induce the Government of the day to abandon the idea of curtailing Her Majesty's title as Queen of the United Kingdom. The Crown of the United Kingdom was undoubtedly Imperial by the title of centuries. Nothing could add to its force, and it could only lose by being tampered with. Whatever additional titles Her Majesty might be advised to assume, he trusted that Her Majesty's present title to the Crown of the United Kingdom—"Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith," would remain inviolate.

MR. ANDERSON said, it was somewhat premature to discuss the Bill. It was quite true that so far they had had no proposal that the new title should be Empress of India, but that would be the question of interest. If the title of Empress was combined with that of Queen, they would have to consider what those terms meant. If they had the same meaning, one or the other must be superfluous; but if, on the other hand, they had different and opposing meanings, the one must contradict the other. We need not go back to the history of the words in order to find out their meaning, because the people of this country would be content to take their ordinary acceptation of the meaning—namely, that "King" or "Queen" was a constitutional title, and that "Emperor" or "Empress" was a despotic title. Consequently, to add "Empress" to the title of the British Queen would be derogatory to her. He sincerely hoped it would not be attempted, and he agreed with the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) that it would be a slight and an insult to our great colonies if we took up India and left the others out altogether. He should, indeed, be surprised if the colonies did not regard such an attempt with great indignation. If they did not, it would mean that they cared little about us. He would suggest that Her Majesty's title should be "Queen of Great Britain and Ireland, of Canada, Australia, India, and South Africa." That title might be inconveniently lengthy; but it would not insult either of our colonies.

MR. DISRAELI: The right hon. Gentleman the Member for the University of London (Mr. Lowe) himself must have felt that, with the exception of his last remarks, he was scarcely able to attract the attention of the House. There was one feature about them which did not surprise me, and that was that the right hon. Gentleman contemplated, as the basis of his argument, that we should one day lose India. He is the only right hon. Gentleman in the House who would have offered an argument of that kind. The right hon. Gentleman is a prophet, but he is always a prophet of evil. Whether retaining our rule in India, or attacking a war in Abyssinia, I am always prepared to hear from the right hon. Gentleman a prophecy of the dark-coming fortunes of this prosperous country. Then, the right hon. Gentleman says that the precedents are against us. He says that the Government of Lord Palmerston, which had to consider the state of India, and the Government of Lord Derby, which had to construct the new Constitution for India, both declined taking the step which I have to-night asked the House to advise Her Majesty to take. But is it not obvious that there were ample and sufficient reasons why the Ministries of Lord Palmerston and Lord Derby should not have considered it then expedient for the Government of this country to take a step of this kind? Why, when our swords were reeking with carnage in terminating a mutiny of almost unequalled magnitude, that certainly was not a period when we could advise Her Majesty to make an addition to Her titles. Though I did not care to mention the subject, that, of course, was the reason why, in the Administration of Lord Derby, we did not take the step which we for some time considered. Then the right hon. Gentleman said his last observation was one worthy of the attention of the House, and of a most serious character. That was as to the slur we are now putting on the colonies by the course I am indicating by the introduction of this Bill. We need not now go into any argument, after what the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) has said, on the language of the Act of Union and the Proclamation. It turns out, as was my first impression, that by the provision in the Act of Union Parliament enabled the Sovereign to proclaim his style and title for the United Kingdom of Great Britain and Ireland and its dependencies. But I was first met by a denial that that language was in the Act.

MR. LOWE: I said there was nothing about it in the Proclamation.

MR. DISRAELI: When the King, who had to carry into effect the provision of the Act of Parliament, considered what was the style and title which would adequately and completely represent his position as a Sovereign, he described himself as King of the United Kingdom of Great Britain and Ireland, because the dependencies were contained in that title, because he felt that the colonies were contained in Great Britain and Ireland. Therefore, as to the alleged slur, I think, on the contrary, it would be a slur to introduce the names of the colonies into this Bill. It would be a slur to tell Australia and Canada and the men of New Zealand—"You are to create a specific title for the Sovereign, and are not to rank amongst the population of the United Kingdom of Great Britain and Ireland." Considering the intimate relations between our colonies and the United Kingdom—considering that this House of Parliament is strengthened and enlightened by several Gentlemen who distinguished themselves in the colonies—it is absurd to suppose that our colonial fellow-subjects misconceive the spirit in which we are proposing to legislate; but, on the contrary, I believe there would be great cause of complaint if we drew a line and made a distinction between those of Her Majesty's subjects who live in the United Kingdom and those who are to be found in Canada or elsewhere. Still there is one point upon which I would make a remark, and that is with reference to the observations of the hon. Baronet the Member for Lanarkshire (Sir Edward Colebrooke), with regard to the possible misconception of our proposal by the Indian Princes. I have no fear of that. Certainly, this Bill is not brought in merely to gratify the Indian Princes; but with a conviction that it will be a source of satisfaction to the many millions of people who in India obey the rule of Her Majesty the Queen, but I may say, that we happen to know that, as far as any particular class in India is concerned, it is the Native Princes who will be peculiarly gratified if this step is taken. I must still describe them as a numerous body of Sovereign Princes. The statement that some are of very great antiquity I was surprised to hear doubted, for it is a subject which is capable of demonstration. Others, it may be, are of more recent origin; but in the majority of cases they possess large armies, vast treasures, capital cities, and millions of subjects. During the visit of the Heir Apparent to India these Princes have been brought very much together at courtly festivals and on occasions when His Royal Highness has held investitures of knightly orders. These last assemblies have, more than the merely festival occasions, brought the Princes into intimate relations with the Crown; and while they have felt proud to be the feudatories of a great Power, they have felt anxious that some steps should be taken in order to bring them more closely into union with the Crown. I think, therefore, that to the Indian Princes this course which we suggest will be most gratifying. My hon. Friend the Member for North Warwickshire (Mr. Newdegate) deprecates any change in the titles of Her Majesty; but I would remind him that the present Bill, so far from making any change, would merely enable Her Majesty to add to the titles She at present possesses—therefore, the fears of my hon. Friend have no foundation. I trust, therefore, that the House will allow me to introduce this Bill. Of course, every observation that has been made will receive grave and sincere attention on our part; but it is because we are convinced that it is a matter of high policy that this step should be taken that I press upon the House for permission to introduce this Bill, and to ask that it be now read the first time.

Mr. BRIGHT: I do not intend to add a word to the debate on this subject, which has been so interesting; but the question which has been asked by my right hon. Friend the Member for Bradford (Mr. W. E. Forster), as to whether the Government will state what is intended to be done before the Bill comes to a second reading, is an important one, to which no answer has been given. I think hon. Members who are quite willing that something should be done, and hon. Members who think nothing is necessary, will be equally anxious to know what is intended to be done before they pass the Bill. For what we are doing affects, no doubt, the sentiment of the people, not only in the United Kingdom, but in every part of the Empire, and it affects also, not only those who are now living, but those who are to come after us. Therefore, I think the House is entitled to know what is intended to be done before it passes a Bill giving the power to do something in regard to a matter which we deem to be of considerable importance.

Mr. DISRAELI: I would just point out to the right hon. Gentleman that if I give the information which he requires —I do not say, so far as I am personally concerned, I will or will not; but I am now speaking abstractedly on the point —if I give the information which he requires, we shall not pass a Bill enabling Her Majesty to use and assume titles which She thinks expedient; but that, on the contrary, we shall be binding Her Majesty down to use only that one we shall have passed. It is quite unusual to take that course; it was not taken in the former instances to which I have adverted; and it would be an invasion of the just Prerogative of the Crown which certainly ought not to be rudely touched. At the same time, it is well known that Her Majesty has hitherto exercised her Prerogative in the most gracious manner, and I will only say at present that I hope the House will allow the Bill to be introduced.

Mr. PERCY WYNDHAM said, he thought that as Queen was the title held by Her Majesty as the head of the United Kingdom, a State with a Constitutional Government, She ought to be styled Empress of India where the Government was despotic. In Austria, Francis Joseph was Emperor—for there his Government was a despotism—but in Hungary, the Constitution of which differed very materially from that of Austria, he was King. India was not a representative Government, but a Government of Lieutenant Governors and Commissioners not elected by the people of India.

Mr. GOLDSMID begged to say, that the Government of Austria was no more a despotic Government than the Government of England.

Motion *agreed to.*

Bill to enable Her Most Gracious Majesty to make an addtion to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies, *ordered* to be brought in by Mr. Disraeli, Mr. Secretary Cross, Mr. Attorney General, and Lord George Hamilton.

MERCHANT SHIPPING BILL—[Bill 49.]

(*Sir Charles Adderley, Mr. Edward Stanhope.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Charles Adderley.*)

Mr. RATHBONE said, he thought hon. Members might congratulate themselves that they were approaching this difficult and intricate subject in a state of feeling admirably calculated to lead to a satisfactory conclusion. The discussion, so far, had been generally marked by an evident desire to approach the subject with fair argument and without the introduction of irritating language. No one could listen to the speeches of the Members of the Government without seeing how carefully and thoughtfully they had inquired into and weighed all the considerations that ought to affect legislation; and he believed it would be a great relief to all those who understood the real difficulties of the question to know that the Government had taken their stand on the sound principle of English legislation—that a shipowner was to be allowed to conduct his business with the freedom enjoyed in other trades, but held strictly responsible for the use he made of his freedom. Had anybody supposed it possible to combine the two incompatible principles of minute Government interference and direction and shipowners' responsibility, their minds must by that time have been disabused of the notion. The hon. Member for Derby (Mr. Plimsoll) had himself fully and frankly admitted the impossibility of this double responsibility. He stated plainly that if the system of Government surveys and load-line which he advocated were adopted. He (Mr. Rathbone) would use his own words—

> "In the absence of proved subsequent neglect, of course it should relieve from responsibility, as also a properly ascertained and determined load-line should relieve from responsibility for overloading if that line is not submerged. We have practically asserted the responsibility of the shipowner when we require him to repair his ship, and when we define the point beyond which he shall not load, and to talk therefore of holding him responsible if accident occurs even while these requirements are complied with, is unreasonable and absurd."

Many shipowners were at first inclined to accept a proposal which would relieve them from responsibility on condition of their compliance with certain minute but clearly laid-down regulations; but they soon saw that, in the first place, it was impossible for Government to assume such a responsibility; and, in the second place, that if it did, it would inevitably lead step by step to such an amount and detail of Government interference—such a gradual and inevitable tightening the iron machinery of Government control—that would crush the very life out of the trade, and utterly prevent improvement and progress. Suppose the Government survey given and the Government load-line fixed, and a certificate of seaworthiness granted to the loaded ship, Government would have dealt with a very small portion, and, in ordinary cases, by no means the most important portion, of the elements of safety for a ship. Government had already ample powers to stop cases of very excessive and conspicuous overloading, and, short of such very excessive and conspicuous overloading, the way in which a cargo was stowed was of far more importance to the safety of a ship than the exact depth to which she was loaded. Was it intended that Government officials were to watch the stowage of every ship and to certify that it was properly done; because, if not, would not the other certificate that the ship was properly loaded, because her Government load-line was not submerged, have the inevitable tendency of setting at rest the consciences of shipowners and the vigilance of the underwriters, the shipper of cargo, the sailor, and the surveyor, whose interested vigilance was far more effective than any Government control? The investigations made during the Recess had clearly shown the danger which must result from a general adoption of Government surveys. On this point he could refer with confidence to the right hon. Gentleman at the head of the Board of Trade and to the hon. and learned Member for Mid-Lincolnshire (Mr. E. Stanhope), who, to the great satisfaction of the whole Mercantile community, was now the Parliamentary Secretary to that Board. They had visited together during the Recess several of the seaports, and had examined sailors, captains, surveyors, engineers, machine makers, shipbuilders, and shipowners, and he would appeal to them to endorse his statement that from the evidence of those persons the surveys of passenger ships under the Board of Trade had prevented the safest, the most economical, the most effective, and the best form of ship and machinery being adopted. They stated further that they had been repeatedly compelled, in compliance with the rules of the Board of Trade and the demands of the surveyors, to do that which they did not consider was the most desirable for the safety or the efficiency of the vessel. This evidence came from men who were connected with the most wealthy and powerful shipping companies in the Kingdom; and if men in their position, with wealth and influence at their back, and able, therefore, to hold their own with exceptional vigour against the Government requirements, had been hampered by them, what must be the effect of such a system upon the less wealthy rising set of shipowners to whom we must look for improvement and progress? One of the most valuable parts of the present Bill was that which gave a prompt appeal from the surveyor's decision to skilled referees in doubtful cases; and the mere fact that there was such an appeal would tend to make the surveyors more careful, and their decisions, when confirmed, would carry much more weight with the shipping community. Carrying public opinion with them, their work would be not only more easily, but more effectually done. The hon. Member for Derby offered the option of compulsory classification, and perhaps the most practical answer to that suggestion was, that the largest and most important steamship owners declined to class their ships at all. Out of over 750,000 tons of the leading steamship lines which were represented by the Liverpool Steamship Owners' Association — an association representing one-third of the whole steam tonnage of the Kingdom—over 400,000 tons were not classed in any public register. The reason for that was, not because the owners wished to build ships inferior in strength or quality to Lloyd's requirements, but because they wished to build them in a different and superior manner, and to have their hands free to introduce such improvements as they thought desirable, without having to consult the Committee of either Lloyd's or of the Liverpool Registry as to whether they might do so or not. Besides those Liverpool steamers, those of the Peninsular and Oriental Company and of the Royal Mail Company, and other large London lines were unclassed. That was a practical assertion of great authority and weight that compulsory classification was not desirable. Could it, on the other hand, be shown that the great loss of life at sea which had so naturally excited public interest would be prevented by classifying the whole shipping of this country? From the Report of the Royal Commission it appeared that there were in six years 5,316 lives lost by ships where the cause of loss was ascertained; but of these 5,153, or 97 per cent, were lost in vessels which there was every reason to believe were seaworthy, and only 163 were lost in vessels from unseaworthiness. Besides these lives lost from known causes, there were 5,345 lost in missing ships, the cause being unknown, and of these 4,223, nearly four-fifths, were lost in classed ships, and only 1,122 in unclassed ships. It was, therefore, clear either that the great bulk of these missing ships were not lost through unseaworthiness, or, if they were, that classification was no security against it. Lloyd's, the Liverpool Registry, and the Bureau Veritas were all very well managed, and most useful societies as voluntary societies, and would be generally used by shipowners where there was no great change or improvement going on in the model or machinery of ships; but to make their rules compulsory would impede progress, and could have very little effect on loss of life at sea. But it might be justly contended that those who represented shipping communities ought not to be content with merely demonstrating the dangerous tendency of proposals for legislation, but should show plainly what they thought could be done to diminish unnecessary loss of life at sea. In what he was about to say he might assume that everybody interested in merchant shipping had read or would read the admirable article in the last *Quarterly Review*, for it contained, in the shortest space possible, the most complete account of the facts and principles of legislation concerning shipping. It was evidently written by one who had made the matter the study of his life, and who viewed it not from a shipowner's, but from an official and executive point of view. Clause 3 of the Bill, which was a repetition of the misdemeanour clause of last Session, would have a most beneficial effect in saving life. It would impress upon the mind of the most thoughtless that it was a crime wilfully, or by criminal negligence, to send an unseaworthy ship to sea, and the effect of that on public opinion would be more powerful than the deterrent effect of that clause itself. But there were undoubtedly some trades in which there had been unnecessary loss of life, to which we might with advantage direct our attention. These were, principally, the export trade of dead weight—coal and iron—from this country, and the import trade of grain and timber into this country. Now, with regard to the outward trades of iron and coal, as they started from ports in this country, the legislation of 1871 and 1873, with that of last Session, gave ample power to the Board of Trade to deal with them, and survey and stop any ships that they had reason to suppose were either defective or overladen, and all that was needed now was good administration rather than fresh legislation. Again, the clause in the Act of last Session dealing with the grain trade, introduced by the hon. Member for Pembroke (Mr. E. J. Reed), enacted what was requisite in this respect; and what was now required was such arrangement for the administration of the law that it should be effectual. But with respect to deck-cargoes of timber, he was not sure whether it would not be necessary to go somewhat further than the proposal of the Government; for, from all connected with the trade whom he had been able to consult upon the subject, he had received but one opinion—that the great loss of life in the timber trade arose from carrying deck cargoes in the winter season; and they all agreed in thinking that if the law could be made to affect all, so as to put all ships, foreign as well as British, on the same footing, deck cargoes of timber ought to be prohibited altogether in the winter season. That, however, was a matter for consideration in Committee, and when the Bill got there, he thought it would be possible to show how the object sought might be obtained by a clause not open to the objection made by the President of the Board of Trade to the proposal of the hon. Member for Derby. Before sitting down, he must try to get rid of certain confused ideas which seemed to have possessed the minds of many who were not acquainted with ships and shipowners. He quite agreed with the hon. Member for Pembroke that it was most undesirable to speak of shipowners as if they were better than, or in any respect different from, the rest of humanity; but, arguing the question solely upon the most plain, clear, and pure self-interest, it was a most extraordinary delusion to suppose that the great body of respectable shipowners were interested in protecting the owners of unseaworthy ships or overladen ships from interference or punishment, and that all shipowners must be regarded in this matter as biased witnesses, whose opinion and testimony were to be received with hesitation, as men whose aim and interest would be to throw a shield over the culprits. So far from that being the case, we could not confer a greater benefit on respectable shipowners than, in the first place, to prevent unseaworthy ships being sent to sea and to cause them to be broken up, or, failing that, to drive them under foreign flags; for, if they were to sail at all, they had far better, in the interests of British honest shipowners, sail under a foreign flag. An unseaworthy ship under the British flag injured the British shipowner in three different ways. It exposed him to an unfair competition; it increased the insurance which he had to pay, for the underwriters so regulated their premiums that the ships which went habitually safely paid for the ships that were lost; and, thirdly, an unseaworthy ship under the British flag degraded the British flag, and to that extent put it to a disadvantage in competition with other nations. But while we must do all we could by wise and sound legislation, based on the principles that were applied to other trades, to make our shipping as safe as possible, we must be careful lest, by unsound legislation and excessive interference, we drove the heavy trades which were in their nature more difficult and dangerous than other trades under a foreign flag. If we did this we should cause two evils—we should drive these trades from under the British flag, out of the reach, therefore, of that reasonable and wise legislation and control which might be productive of great benefit; we should thereby increase the risk to life which we were attempting to prevent, and we should lose to this country trades which were absolutely necessary to its prosperity and maritime safety. It was in these heavy trades, carried on in sailing ships, that we made good sailors. The work of a large passenger steamer, or a Government steamer, containing everything that human ingenuity and great wealth could provide to make her safe and effective, with its minute division of labour, was no school for seamanship, energy, or resource. It was the practice of some, if not all, of the larger steamship owners not to take even as a first mate, with a view to his ultimately becoming a captain of a steamer, any man who had not served for a certain time as captain of a sailing vessel. As in former times, so now, it was the much-abused sailing ships of the north-east of England that turned out the finest seamen the world could produce. The introduction of steam had brought with it dangers in this respect, which were the subject of constant anxiety to careful steamship owners—and the danger had not been unfelt in the Royal Navy. Considering the large and varied interests which he represented, he hoped he had not intruded unreasonably on the attention of the House. He had tried to show that, in the legislation which was desirable to prevent loss of life and property at sea, it was not necessary—nay, that it would be dangerous—to deviate from the English principles of leaving the action and energy of our citizens free and unfettered by minute Government direction; but holding them to a strict account for the use of that freedom, when they injured or attempted to injure others thereby. He had spoken with some confidence, for he had taken the utmost pains to gain from practical men of all kinds the results of their experience; and the answers to these inquiries had been so uniform that he had acquired an almost certainty that the line taken by the Government in their Bill was wise, statesmanlike, safe, and much more likely to be effective than if we were to adopt the Continental plan of Government surveys and minute interference, which those who had tried it admitted to have failed.

Mr. GORST said, that there was a general feeling of regret in the country that the Government had not dealt with that part of the law of Merchant Shipping which regulated the relations between seamen and their employers. These relations were embodied in a code of laws which was at once very peculiar and very stringent. This code was consolidated in the Merchant Shipping Bill of last year, and underwent a great deal of discussion. Several Amendments were introduced into it, and many of its more stringent provisions were only carried by narrow majorities. Towards the close of last Session, Parliament passed two most important measures, by which the general relations between employers and employed were placed on an entirely new footing, and when it was announced that the Government intended to legislate on Merchant Shipping it was expected that they would apply the principles contained in those Acts, as far as possible, to the merchant seamen. It was evident that in order to maintain life at sea men must be subjected to certain rules and discipline. Sailors causing loss of life or serious injury to property by deserting should be subjected to penalties in accordance with the principles of the 5th section of the Conspiracy Act, 1875, and therefore the only excuse for special legislation was to stop desertion in cases where there was no danger to life or property. If any workman, except a seaman, broke a contract he could only be sued for damages in a civil Court; but a seaman who deserted, although that was simply breach of contract, was liable to be imprisoned on summary conviction for three months with hard labour, and to forfeit all his effects left on board, and all the wages he had earned. Again, if a seamen were absent from his ship, no matter from what cause, 24 hours before his ship was due to sail, he could be sent to prison for 10 weeks, forfeiting his wages to the extent of two days' pay. Many other illustrations could be given of the stringent and peculiar penalties to which seamen were subject. Would Parliament venture to impose on any other class of workmen penalties of this kind for breach of contract? But the objection to the law was trifling in comparison to the objection to the procedure by which it was enforced—a procedure to which we did not subject our criminals. A seaman found absenting himself without leave might be arrested by a master or mate, or any other person, without warrant, and it was not necessary to carry him before a magistrate, unless he required it. That need not be done then, however, if no justice of the peace happened to be near the place where he was apprehended. He might at once be taken by main force on board ship and compelled to fulfil his duties. Would they empower any other class of employers to enforce performance of contract by so tyrannical a procedure? There was another reason why these laws ought to be amended. A seaman might be seized in the colonies, in spite of any colonial legislation; so that it was in the power of the mate of any ship to cause the most serious complications between the mother country and a colony whose laws on the subject of merchant seamen were more enlightened than our own. Seamen were as respectable a class and as much entitled to the protection of the law as any other class in the country, and he believed they would never have been treated in this manner if they had had the same electoral influence as other working men. If, however, they were as degraded as some people alleged, it might easily be shown that the class laws to which they were subject tended to bring about such a result. He, therefore, hoped the Government would, in Committee, introduce a code of law relating to the relations between merchant seamen and their employers which should be more in accordance with the enlightenment of the present day, and carry out, so far as was practicable, those principles which the House and the country adopted last year.

MR. A. PEEL said, in common with every other hon. Member, he could not but rejoice that at last they saw the prospect of the settlement of that question for some considerable time to come. The House, he was sure, was now prepared to deal with the subject in a calm spirit, without respect to party, and with a sole view to the welfare of our Mercantile Marine. He held that the establishment of Government survey, to the extent which some proposed, would weaken the responsibility of the shipowner, and as the principle of the liability of the shipowner, which was the one they had in view, had been asserted in the Bill, he was anxious that nothing should be said that would tend to impair its application to the fullest extent. The Government, however, seemed to doubt the application of their own principles, for they had filled the Bill with clauses that showed they mistrusted the shipowner, and wished to prevent him from doing that for which they said he was responsible. In dividing the country into districts under Wreck Commissioners the Government, he believed, were following the advice of a gentleman well known at the Board of Trade (Mr. O'Dowd); but he could have wished they had followed that gentleman's advice a little further and abolished advance notes, which were a cause of improvidence, and of so many ships going to sea with drunken crews. ["Hear, hear!" *and* "No, no!"] He knew there was much difference of opinion upon the subject; but he (Mr. Peel) believed the system of advance notes might be very safely done away with, or at least modified in such a way as to be no longer a main source of the vice and misery of the seaman. The question of laying down rules for the proper loading of ships was one of such difficulty that the idea which had been carried out by the Board of Trade of summoning a conference of experts in order to determine the general instructions to be issued to inspectors as a guide on the subject was almost amusing. Judges of the highest character entertained widely different opinions on this question. Even the hon. Member for Derby (Mr. Plimsoll) had not been quite clear on the subject before the House.

MR. PLIMSOLL, in explanation, said, that he held that no particular rule should be laid down, but that each ship should be judged according to the circumstances peculiar to her case.

MR. A. PEEL said, that as regarded the proposed Superior Court, to which appeals might be made from the decisions of surveyors, he did not think there was any ground for complaint; but with respect to the proposed Court of Inquiry, supplemental to the present Court of Justices assisted by assessors, he thought the essential difficulty of the case still remained. There would still be the danger of criminating somebody, and by whatever Court the inquiry was held, there would remain, and always must remain, the risk that the civil or criminal liability of the master or owner would affect the course of the enquiry, and divert attention from what was the main point of investigation—namely, the cause of the casualty. He did not think any sufficient grounds had been shown for the change, and he should like to know exactly what were the motives which had prompted the Government to introduce this great machinery of Wreck Commissioners, stipendiary magistrates, and special assessors, when no substantial grievance was alleged against the old system. He wished to know whether it was intended, in the clause respecting shipowners' liability, to make them responsible for anything which happened to seamen from the act of their fellow-sailors. If this principle were laid down in the Bill, the railway companies would be on the *qui vive;* their position would be a serious one if they were held responsible for accidents to men in their employ from the acts of their fellow-servants. As to the proposed certificates of health, he hoped they would answer, but his hopes were small. The Act of 1844 provided for certificates distinguishing able-bodied seamen from seamen of any other class; but these certificates soon became a dead letter. He was sorry to criticize the Bill, to which he was not hostile; his sincere desire being to facilitate its passing and settle a question which was not only of great importance, but one of great difficulty.

Dr. KENEALY expressed a desire to say a few words on this important subject. He was sure that the right hon. Gentleman the President of the Board of Trade was actuated by the truest desire to advance the interests of the Merchant Shipping service and the welfare of our seamen. There were, however, parts of the Bill which were open to misconstruction, and should be amended. One clause provided that an owner sending an unseaworthy ship to sea should be guilty of a misdemeanour, unless he proved that her going to sea in such a state was, under the circumstances, reasonable and justifiable. Now what circumstances could justify the sending of an unseaworthy ship to sea? The clause should be made more stringent. The next clause of the Bill related to prosecutions, and laid it down that no prosecutions should be undertaken unless by the sanction of the Board of Trade. That, in his opinion, was most objectionable. The greatest violations of the law took place in consequence of persons not being at liberty to institute prosecutions, because they had not received the sanction of the Attorney General; and in a matter of such great and vital importance as the Merchant Shipping Bill, he apprehended that the public would be apt to think the Government were not sincere when the clause provided that no prosecution should take place except by the sanction of the Board of Trade. He would also suggest to the right hon. Gentleman, that the persons appointed for this particular service under the Board of Trade should be persons who had been in the Mercantile Marine, and of great experience. There was another point which related to what was called ships permanently retired. What did the right hon. Gentleman intend to do with those ships? As he was informed, some of them were in such bad condition that their timbers, if the ships were broken up, would not be found available for any useful purpose. There was another point to which he deemed it necessary to call attention, and that was as to the importance of the manner of stowing grain. As he understood from experienced authority, the best manner of stowing a cargo of grain would be by putting it into bags; and he submitted that the owners of ships should be compelled by a provision in the Bill to have cargoes of grain secured for carriage in bags. Another important point was that the right hon. Gentleman the President of the Board of Trade should not allow loads to be carried on deck. That was a matter calling for the serious consideration of the House, and heavy penalties should be imposed on owners who might allow deck-loading on board their ships.

Mr. T. E. SMITH said, on looking over the Bill, he could not again enter upon the discussion of whether it was desirable to have "grandmotherly legislation" for taking care of merchant ships and seamen. There were one or two points which shipowners regarded with considerable regret. The first was that the right hon. Gentleman the President of the Board of Trade had not brought in a measure dealing with other ships besides British, and thus put British and foreign vessels on an equal footing. The effect of the present Bill would be that many ships would be transferred to foreign flags, and their owners would thus evade the provisions of the Act. He objected to Clause 4 on the ground that it adopted an entirely new principle with regard to seamen, and one which had no existence in the case of other trades in this country. Shipowners were entitled to meet with due consideration at the hands of the Board of Trade, inasmuch as he thought it not right to make them answerable for acts of their captains and seamen, when those parties were away at sea, and not under their control. Railway companies were in a far better position; they had the means of exercising supervision over their lines day by day; but not so with shipowners, who knew nothing of what occurred on board their ships when those ships were away at sea, and who therefore ought not to be held responsible in such cases. That was a matter which he hoped would meet with due consideration in Committee. With regard to the new Court proposed to be established by the Bill, he thought it would prove very satisfactory; and with regard to the appointment of two assessors by the Board of Trade, he thought it more desirable that one of the two should be appointed by the local Marine Board. With respect to the danger to life from deck-loading, he thought the practice of putting 20 or 30 tons of coal on the deck of steamers leaving port, in the hope of burning them before bad weather came on, most dangerous, and that a clause should be embodied in the Bill to prevent it by the infliction of severe penalties. He regretted, with regard to deck cargoes, that there were any exemptions. He had little faith in attempts to put down deck cargoes of timber; and, with reference to the extraordinary statement about abolishing bulkheads, he always thought they strengthened ships. He believed when they had a fleet of ships under this Bill without bulkheads, there would speedily be an an end to the Mercantile Marine of this country. One result which he did look forward to from the present measure was that there would be a material reduction in the cost of ships.

MR. PLIMSOLL said, he approached the consideration of the question with very great anxiety, he wished, however, to make a few remarks to remove, if possible, some false impressions as to the course he had taken, created by exaggerated statements. The comparisons which had been made by the right hon. Gentleman the President of the Board of Trade ranged in the most extraordinary and mysterious manner over different periods, indeed, the speech itself was a perfect dance among statistics, and he (Mr. Plimsoll) confessed that when he heard the right hon. Gentleman impugn what he had said as to the loss of life, on the authority of a Lloyd's Report, it seemed that it was really impossible there could be any foundation for the charge. He had, therefore, obtained the Report, and looked carefully over it, and he found that the right hon. Gentleman had compared two different periods for his Returns—namely, 1832-35 and 1870-73; but, in speaking of wrecks, he began with the year 1836, and therefore the comparison was not fairly made. He submitted his own statement on the subject, together with the official document, to the Statistical Society, and asked them to provide a return which would be accepted as authoritative on the subject. For his own part, he had dealt but very little with statistics, and his statements of facts had been based upon the findings of Courts of Inquiry, official Returns, Parliamentary Reports, official documents, and other papers of the highest kind; and he now found that the exaggerations of which he was accused were two—first, that one night last Session he had overstated—very slightly—the loss of life in the last year; and secondly, that, whereas, when he spoke of a ship not having been heard of he ought to have said she foundered. But what happened in consequence of these alleged small discrepancies? Three hon. Members of that House upon different occasions and at widely different places had attacked that statement, each of them as if it was a separate error, so that he had been subjected to no fewer than 11 attacks, because he had misstated the total loss of life for one year. The inference was, he thought, irresistible, and that was that those hon. Gentleman would not have fiddled so long on one string if they had had another on which to play. It was not, however, for him to defend these figures, he would let them defend themselves. Then, with respect to the loss of life, the Board of Trade altogether ignored the great improvements which had taken place in the number of light-houses, life-boats, and other appliances which had been introduced of late years for ensuring safety, and the result of their calculation was, that supposing a steamer made five trips in the time it would take a sailing vessel to make one, we should consider ourselves well off if there were only 4½ lives lost by the steamer as compared with one by the sailing vessel. When the first iron vessels were constructed the iron was of the best quality, equal, in fact, to the plates of the best iron boilers, and they were practically unsinkable. He had talked with the captain of one of those ships which had run right against an iceberg and lost all her masts, and yet made her voyage home in safety. Since then it was well known that a very different quality of iron had been used for the construction of such vessels in many cases. It was, he could not help thinking, much to be regretted that the whole matter should thus have been thrown into confusion, for the statement of the right hon. Gentleman was one to which it was difficult to make a reply without trespassing unduly on the attention of the House. He might, however, be allowed to refer for a moment to the latest "Wreck Register"—a document which had been issued by the Board of Trade, and the evidence furnished by which he presumed the right hon. Gentleman would not call in question. In that Report it was stated that of the total number of ships lost on our own coasts in 1873-4, the loss of 30 was attributable to defects in the ships or their equipments, and of the 30, 19 appeared to have foundered from unseaworthiness. Referring to the casualties during the second period of the year, still on the coasts of the United Kingdom, the Report stated that 91 had occurred from defects in the ships and their equipments, so that the loss of 121 vessels in one year was attributable to unseaworthiness. These facts in themselves, it seemed to him, furnished ample evidence that some legislation on the subject was urgently required. In page 10 of the Report it was further set forth that 1,000 had been lost when the force of the wind did not exceed a strong breeze, and that there had been 314 casualties when the ships ought to have been able to hold their course against the wind which prevailed. There were many statements of a similar kind contained in the Report which he did not deem it necessary to quote, and he would now address himself to the Bill before the House, with which he was not at all surprised to find that the shipowners were not displeased, for from beginning to end of it the shipowner appeared to him to count for everything and the sailor for nothing. The Bill sought to protect the sailor by providing certain legal remedies against the shipowner, while it gave to the sailor certain legal rights. He had, however, no hesitation in saying that those legal rights would in the hands of our seamen turn out to be useless, for the penalties to which shipowners were to be made liable would be of very little value, judging from the fact that there had been in 1873-4, as he had just stated, 121 casualties owing to unseaworthiness, while only 22 vessels out of the unseaworthy ships sent to sea within a given time were stopped. He was not surprised at this, because he and they all knew how cheap professional evidence was, and when testimony of that kind was given, the men of course had the matter decided against them. He did not object to the clause, but he did not think it would do any good. He had, indeed, not heard of one single shipowner having been prosecuted by the Board of Trade in England, and only of two in Ireland. Nor from the answer which had been given to him that very day by the President of the Board of Trade did he think the legal rights which the Bill would confer on the sailor would afford him any better protection. He did not think seamen were proper judges of the seaworthiness of vessels, and it was unfair to shipowners that they should be exposed to great loss by giving to ignorant men the opportunity of stopping vessels. The law committed this ridiculous folly—first of all it made the seaman a judge, and then if, however sincere he might be, he made an error, it treated him as a criminal and sent him to gaol. In the case of scurvy, every one knew that it could be prevented by a proper supply of healthy, good food. The Government took care, that in the case of passenger and emigrant ships the provisions were surveyed as a matter of course, but there was no such survey for seamen's provisions. The Act 17 & 18 *Vic.*, c. 104, s. 221, provided that three seamen might demand a survey under certain circumstances, but he had not heard of its ever having been done, and it gave an instance how sailors exercised their legal rights. He had before him a list of four vessels belonging to one firm, and on board them 18, 24, 4, and 35 men were dreadfully afflicted with scurvy. Fifteen out of one ship's company died. In order to avoid strong feeling in the matter, he thought it better not to name the firm to which these vessels belonged. The strange thing, however, was, that whenever men suffering from scurvy were landed and able to obtain wholesome food they got better. He was told, though he did not state it as a fact within his own knowledge, that the Admiralty sold their beef and pork when they were no longer fit for the Royal Navy, and that they were supplied to merchant vessels. As he had on the Paper a Motion for Returns on this subject, he would only remark now that if the beef and pork were bad they ought to be destroyed, and not sold to unscrupulous men to spread disease and death on board ship. He believed that with respect to health on board merchant ships, the last Returns of the Board of Trade showed that scurvy was very prevalent, and that a very large proportion of the crews were landed in such a state that they had at once to be sent to their friends or to hospitals, while in some cases the disease was so bad that the ship was unable to continue on her course. Now, if men who suffered so frightfully never dreamt of bringing an action-at-law against their owners, what was the use of the legal rights they possessed? The legal liability imposed on the owners and the legal rights conferred on the men were, in his opinion, perfectly valueless. As to the proposed Court of Survey, he sincerely hoped it would not be established. It would be the Board of Trade over again, and in its dealing with the Mercantile Marine that Department seemed to have united the maximum of meddling with the minimum of management. He wondered that shipowners had not insisted long ago on the total re-organization of the Board of Trade and demanded a special Board of Commissioners, consisting of retired shipowners and shipbuilders, who knew all about their business, and who would be able in a very short time to bring about the necessary alterations with the least possible trouble. Such a body ought to have power to make bye-laws about undermanning, boats, and other matters which were essential, but which could not be crystallized in an Act of Parliament. When this was done we should see daylight, and he was persuaded that in a very short time there would be a wonderful diminution in the loss of life at sea, and such an addition to the comfort and safety of the men as would make it no longer difficult to man our vessels, while respectable men would not be ashamed, as they were at present, of beginning life as sailors. With respect to the load-line there was no supervision provided either at the port which a vessel was cleared outwards, or at the port of unloading; and the clause as to grain-loading as it stood in the Bill would be perfectly valueless. Then with respect to deck-loading, the provisions respecting which would be practically nugatory, the right hon. Gentleman the President of the Board of Trade dealt with that practice in an entirely new way, for through Mr. Thomas Gray, he wrote to Lloyd's Committee and asked them to investigate this subject. That Committee accordingly nominated two gentlemen of great experience, who examined the data of 6,830 voyages made by timber-laden ships from North American ports while deck-loading was prohibited, and in the 10 years following the removal of the prohibition. Although the traffic was now three times as great, and consequently men have a better chance of escape in the event of vessels becoming waterlogged, yet it was found there were four times as many lives lost since the prohibition of the practice was swept away as were lost during the period when the prohibition existed. To neglect to deal with that question in the Bill, or deal with it in an ineffectual manner was very silly. The load-line proposed by the Bill seemed to be an owner's load-line, but there was no principle laid down for guidance, and if he chose to put it on the bulwarks probably no one would interfere with him. He objected to the proposal, because owners were often shopkeepers, without the special and technical knowledge requisite for that purpose. It was his intention, instead of recognizing the owner's load-line, to ask for the appointment of a Commission to examine all such load-lines, with power to provide a proper freeboard wherever necessary. The Bill was also defective in not providing a penalty for a wrong load-line, but he should endeavour in Committee to supply the omission. The Bill provided means for better investigating casualties than now existed; but the difference between his proposal and the proposal of the Government was this—that he advocated precaution, while they advocated subsequent inquiry; but the precaution would be infinitely cheaper and more efficacious for the object in view, and when the Bill went into Committee he hoped to give good reasons for inducing Parliament to accept his proposal. Training ships were affected by the Bill, and he saw no reason why little orphan boys at present running through the streets—the waifs and strays of society—should not be taken into training-ships and made seamen after we had got some seaworthy ships, supplied with good provisions. The loss of life at sea, however, was at present so great that it would take a great many of those training-ships to meet the demand for sailors. He had heard of one shipowner, a Member of that House, who had lost 28 men within the last year, and of another, also a Member, who had lost seven ships, whereby 100 seafaring lives were sacrificed. If there were to be such a waste of the raw material as this, he thought the House would pause before it expressed satisfaction with, or assented to, any arrangement such as the Government proposed. Let life be first made safe at sea, so that nothing but unavoidable danger and hardship would have to be encountered, and then there would be no disposition to begrudge any amount of money for training ships. What he submitted to the House was this—that ships which needed repair should be repaired, and that ships should not be allowed to be overloaded. Let there be an efficient survey, so that vessels which had gone through their classes, and were unfit to carry coal and ore on coast voyages, should no longer be entrusted with human lives. On these points, then, it was his intention to join issue with the Government by asking for a compulsory survey. His Amendments would be drawn by able counsel and in a conciliatory spirit, anxious as he was to consult the wishes and interests of shipowners to the utmost. Those Amendments he would give the Committee an opportunity of deciding on by their vote, and might God defend the right.

Mr. E. STANHOPE said, it was not his wish to offer any observations upon points which must be more fully discussed hereafter in Committee on the Bill; but there were one or two subjects upon which some misconception existed not only in regard to the provisions of the Bill, but as to the action of the Board of Trade as the Department charged with the administration of previous Acts. It was stated the other day, as it was also said last year, by the hon. Member for Derby (Mr. Plimsoll), that it was not the custom of the Board of Trade to hold wreck inquiries, except in cases in which the guilt of the captain in command was concerned. That was not the case, for reports were made in all cases by the Receivers of Wrecks, and if from these reports an inquiry into the circumstances of a wreck seemed to be desirable, the Board of Trade always ordered such an inquiry to be made. In corroboration of that statement, if hon. Members would look through the Wreck Registers they would find that Courts of Inquiry were held where the guilt of the master was not concerned, but where there was reason to believe the vessel was either not seaworthy, or was overloaded, or was an improper ship for the purpose for which she was employed. An objection had been taken to the existing Courts of Inquiry, on the ground that the civil and criminal proceedings were mixed up together. In the dropped Bill of last year a proposal was made on the part of the Government to distinguish between the civil and criminal liability of the captain. That proposition had been abandoned this Session, for the reason that if an inquiry were held into the causes of a casualty, and if the certificate were left to be dealt with by some Court afterwards, the certificate would never be dealt with at all. In small cases the witnesses would never be kept together. Moreover, in such inquiries it was found, as the hon. Member for Warwick (Mr. A. Peel) had pointed out, that it was, in practice, impossible to separate the civil and criminal proceedings. It would be found that when there was anything hanging over the head of the master, and when it was possible that his conduct might be made liable to future condemnation, whether in a Court of Law or by public opinion, then in any formal inquiry the master's mouth was sealed, and it was, therefore, unnecessary and useless to hold two inquiries instead of one. Now, how did the Government propose to deal with this case? First, they proposed to establish a superior class of Judges, called Wreck Commissioners. In the first instance, they proposed to appoint a Wreck Commissioner, specially qualified for the purpose, to sit in London, where it was found impossible for the police magistrates to hear these cases. The Government also took power to appoint two additional Commissioners, because the number of these inquiries would probably be increased, and in cases of great importance a Special Commissioner would be sent down. In doing so, however, the Government did not intend generally to supersede the local magistrates or the stipendiary magistrates, whose powers had been exercised with great advantage. In the next place, the Government took power to make rules; and their object in doing so was that rules should be in all cases strictly prescribed, so that in all inquiries held before two justices, or a stipendiary magistrate, or a Wreck Commissioner, the primary duty of the Court should be to institute a full and searching inquiry into all the causes of the disaster. The rules would also provide that if in the opinion of the officer representing the Board of Trade, or of the Judge, the circumstances disclosed were such as to incriminate any one person, then the Court should be bound to give him notice of all the charges, and afford him, by adjournment or otherwise, every opportunity of meeting the case against him. That was the explanation of the form of procedure which his right hon. Friend proposed to establish by this Bill. To show to what extent the number of inquiries had increased since it had been provided that a legal officer of the Board of Trade should attend to them, he might mention that whereas in 1865 there had been only 37 inquiries, there had been in 1875 274 inquiries, and they had every reason to believe that under the provisions of this Bill the number of inquiries would be still more increased. The hon. Member for Derby seemed to think that the Board of Trade must be remiss in its duty, because it had stopped a great number of ships as unseaworthy and had yet instituted so few prosecutions; but it was the merit of the system now in force and proposed to be continued that it stopped people from committing crime—it actually stopped ships before they were sent to sea and before there was an attempt to send them to sea. The Board of Trade might be justified in detaining a ship, and yet the owner might not come within the letter of the law as criminally guilty of sending or attempting to send the ship to sea. That morning a valuable Paper had been placed in the hands of hon. Members, and it showed clearly the difficulties with which the Board had to contend, the reasons why it had instituted so few prosecutions, and why it had been successful in still fewer cases. The various proposals relating to deck cargoes would have to be fully considered in Committee, but he should be justified in making one remark now. On several occasions the hon. Member for Derby had referred to a report made by two members of Lloyd's at the request of the Board of Trade, and laid before the Commission on Unseaworthy Ships; but the hon. Member was clearly not cognizant of another table, of exactly equal authority, because it was also prepared by Lloyds, but applied to many more ports, and extended over a longer period. It showed distinctly what the casualties were between 1840 and 1862, when the deck-loading law was in operation, and between 1862 and 1872, when it was repealed; and it was a curious fact that this Return was contradictory of the other, because it showed distinctly that the total losses had not increased and that the casualties had actually diminished. This only proved that there were varying statistics which the Royal Commissioners were unable to reconcile, though they attempted to do so; but when the House decided this matter it would do so not upon statistics, but upon arguments in favour of the Government proposal or any counter proposals which might be made. As to grain cargoes, his right hon. Friend had hardly been understood in the statement he had made, for he had fully explained how loyally he had endeavoured to carry out the intentions of Parliament. The difficulty the Department had experienced in considering the peculiar circumstances of so many ports had not been fully realized. It had to discover where surveyors ought to be appointed, where special circumstances rendered such appointments unnecessary, where the underwriters caused surveys to be made which need not be repeated, and the peculiar circumstances of isolated ports. The exceptional position of Taganrog, for instance, to which the hon. Member (Mr. Plimsoll) had alluded, occasioned difficulty, for it was found that an efficient survey there would cost £800 a-year. As regarded surveys at home the instructions were most precise; and, as it was hoped most ships would be inspected before leaving ports abroad, it was believed that such inspection would be the less necessary in all cases here. They had directed the inspection of those ships which showed a list or had met with casualties during the voyage, and, after the experience of two months at the end of the grain season, he believed this would enable them to deal satisfactorily with the question of grain cargoes. He believed the 4th clause of the Bill would not bear the construction which the hon. Member for Warwick had put upon it; it was not the intention of the Government that it should alter the law; and he believed when its terms came to be more fully criticized it would be found that it did not. While thanking the hon. Member for Derby for the careful criticisms he had passed upon the Bill, he did not wish to follow the hon. Member into the statistics relating to the loss of life at sea, because the House would not be governed by a few statistics; the introduction of the Bill proved that the Government was satisfied there was loss of life at sea, which all equally regretted, and that in some cases it had arisen from the unseaworthiness of ships; and the Bill showed that the Government desired to deal as fully as they were able with these cases. They wished to impress upon shipowners the responsibility of the business in which they were engaged, and to require them to show that in all cases they had taken reasonable pains to secure seaworthiness in the ships they sent to sea; and, therefore, it was difficult to understand how it could be said that nothing had been done for seamen. Surely the tendency of such legislation must be to increase the safety of seamen at sea? They continued the enactment of last year which gave seamen a direct means of challenging the seaworthiness of a ship, and relieved one-fourth of a crew from the necessity of finding security for costs; and the only change made was one which would affect small ships in respect of which complaints might be made by one or two drunken men. It would be hard, indeed, if a ship should be detained on such a complaint, and a proviso was inserted to guard against such cases by empowering an officer who considered that a complaint was vexatious and frivolous to require security for costs before detaining a ship. On the whole, he ventured to hope that the proposals of the Government would prove satisfactory to the House.

Mr. WILSON, as representing the shipping interests of the port of Hull, desired to give the measure a general support; and, while expressing satisfaction that the hon. Member for Derby (Mr. Plimsoll) had avoided those personalities which last Session gave a tone of intimidation to his remarks, to confess regret that the hon. Member had not, by apologizing for his past errors, strengthened the sympathy of the House and the country in the cause of the merchant seamen. There was no object in legislation if it was not to protect seamen; there had been no agitation for legislation to protect shipowners, although as a class they had grievous complaints which might justify a counter agitation for their remedy. What he meant was to some extent proved by Board of Trade statistics, which showed that the tonnage—meaning both sailing ships and steamers—of Norway had increased from 640,705 tons in 1864 to 1,245,293 tons in 1874, while the steam tonnage of the United Kingdom had increased from 5,251,757 tons in 1864 to 5,681,000 in 1873—the former increase being double, and the latter only 10 per cent. By imposing restrictions on the shipowners of this country they gave decided advantages to foreign shipowners; and, therefore, instead of an increase of British tonnage, they might find foreigners coming in and taking away the carrying trade of the country. In one year the British sailing ships coming to the port of Hull amounted to 121,151 tons, while in the same year the foreign sailing ships coming to that port amounted to 364,989 tons—there were coming to Hull three tons of foreign shipping for one ton of British shipping. They must, therefore, take care on this subject not to legislate in a manner that would drive British tonnage from the seas. With regard to the 3rd clause of the Bill as to sending unseaworthy ships to sea, the objection entertained by shipowners was that it assumed a person to be guilty before he was proved to be so, whereas it had hitherto been the law to assume innocence till guilt was proved. So far as he had heard, there was no objection to Clauses 4, 5, 6, 7, 8, and 9. In Clause 10, which gave power to one-fourth of the crew to stop a ship going to sea, there was debateable ground between shipowners and the friends of seamen. At the large meeting of the shipowners in the City the other day, an almost unanimous protest was raised against this clause; but he did not think that even that point would be seriously pressed by shipowners, because they felt it their duty to do all they could to assist the Legislature in passing a law which would put an end to agitation on the subject. With regard to grain cargoes, he could speak, not from theory, but from great personal experience, and he must say, so far as the subject had been brought before him, he considered the action of the Board of Trade had been satisfactory in the extreme. Only last Session he had considered it his duty to call attention to the long list of steamers laden with grain which had foundered in the Bay of Biscay. Since the short Act of last year had come into operation they had not had to deplore the same loss of life and property. There had also been a lamentable loss of life and property in steamers coming across the Atlantic loaded with grain, and they had not had a repetition of those losses. The same might be said of steamers coming from the Black Sea and from Mediterranean ports. That was the best practical commentary on the working of the temporary Act of last Session. The deck cargo clause raised a serious difficulty. He would at once support a measure which in any way tended to prevent deck-loading, and in his opinion the difficulty might be met by providing that, within certain limits of time, no vessel crossing the Atlantic should be allowed to carry a deck-load of any description ; but it became a serious question when a proposal was made which, if carried out, would interfere with the great mass of the coasting trade of this country. The right hon. Gentleman the President of the Board of Trade acknowledged the difficulty, and in order to meet it he proposed to put a tax on deck cargoes by charging extra dock dues. But who would benefit by that? The dock companies were perfectly satisfied with the charges they now imposed, and these extra dues would, he feared, tend materially to lessen the dues now received, and would in that way operate injuriously upon the carrying trade of the country. There were some cargoes which could not be carried except on deck. Among these were cattle, fruit, agricultural machinery, wood from the Baltic, which were mostly carried in the summer time, and generally when the holds of the vessels were only half full. It would, therefore, be unfair to impose upon shipowners an extra charge for dock dues in such cases. With regard to a load-line, the shipowners of the port of Hull had met and decided to carry out that provision to the best of their ability. For himself, he must say it was not right that the attempt to solve a difficult question like this should be treated with ridicule or contempt. As a shipowner he had come to the conclusion, with many other practical men, that a maximum load-line should be fixed, and if on going abroad that load-line was varied, it would soon be found out who was responsible for it. Public opinion, he thought, would be strong enough to prevent any attempt to evade the law. He felt it to be his duty to give the Government every assistance in passing this Bill, which he believed would effect the object which all had in view—namely, the protection of the lives of our seamen, without acting prejudicially to the interests of our Mercantile Marine.

MR. BENTINCK begged to endorse the comments which the hon. Gentleman who had just down had made upon the language and conduct of the hon. Member for Derby (Mr. Plimsoll). Without any wish to be discourteous to any hon. Member, he must say that the hon. Member for Derby had upon more than one occasion been most unfortunate in his statements in this House, and had, moreover, thrown out charges broadcast against the shipowners of this country, than whom no body of men stood higher in public estimation; and, having done so, had failed either to substantiate or to retract them. With reference to this Bill, it was not his intention to enter into any discussion of its merits; but it was impossible to exaggerate its importance. Amongst the grievances put forward justly by the shipowners, one had been that they were harassed by constant legislation, and what they asked for was a permanent measure. He understood that the Government brought in that Bill as a permanent measure, and it was on that ground he wished particularly to offer a few observations. The joint object of the hon. Member for Derby and the Board of Trade was to save life at sea; but both the hon. Member for Derby and the Board of Trade were affected with what in medical parlance was called monomania. They seemed to think that the way to save life at sea was by dealing with one question only. But his right hon. Friend failed entirely to deal with the principal cause of the loss of life at sea, and if the Bill were carried in its present shape, it would perpetuate and sanction the existing state of things, which must lead annually to an enormous loss of life, for which the Government would be held responsible. We had been told that a certain place was paved with good intentions; but unless the Bill was amended, the intentions of the House of Commons would bear the same fruits as the good intentions which were said to exist in another place. He admired the talent, the energy, and the zeal which his right hon. Friend the President of the Board of Trade had shown in handling the question; but his right hon. Friend was immensely overloaded by the multiplicity of business with which he had to deal, and that circumstance had compelled him to neglect what ought to be the most important element of a Bill on this subject. On the question of grain cargoes all were agreed; and as for deck cargoes, they ought, except in coasting vessels, to be altogether prohibited. A great deal was said about the necessity of preventing overloading. But was the House aware of the number of ships lost from underloading? A light ship was quite as dangerous as an overloaded ship, and more so, for in certain cases you could not keep her from going ashore. But there was a much more fruitful cause of loss of life than unseaworthy ships, and that was unseaworthy seamen. If the House would take the trouble to inquire into the cause of wrecks, especially those on our coasts, they would find that a very large number of wrecks were to be attributed not to unseaworthy ships, but to unseaworthy sailors—men shipped as "A.B.'s," who not only came aboard intoxicated, but were utterly unable to perform the duties which they engaged to perform. The only practical way of dealing with this serious difficulty was not to accept anyone as an A.B. who could not produce a certificate of his former service. One of the chief causes of loss of life at sea was want of discipline. Unfortunately, the magistrates, in cases which came before them, generally leaned to the men, and disorderly and mutinous conduct was thus encouraged on shipboard. The Bill ignored that subject altogether. Again, fires on board emigrant ships at sea were often caused by what on shore would be called burglary, but what was known at sea as boring through a bulkhead to get at liquor. Yet, the master of the ship had no power to deal summarily with offences of this description. Another point was the bad form of ships. In bad weather many steamers, especially those going from the East Coast ports to the Baltic, foundered, though they were well-found and well-manned, because they were so long that they were unmanageable in bad weather. That was in a great measure the fault of our tonnage laws, but the Bill did nothing to correct them. A still more grave omission was the failure to deal with the subject of collisions at sea and the blundering "rule of the road." Unless in the event of a collision, there was no legal penalty for not carrying the proper lights at night; but ought there not to be a penalty for disobeying one of the most stringent regulations of the Board of Trade? At present, the penalties were so trivial as to be practically no penalties at all. Substantially the same remark applied to the offence of keeping a bad look-out. Then there was the practice of driving steamers at full speed in fogs and at night, more especially in narrow channels, when numbers of vessels were sure to be near. In a Bill which had for its object the prevention of loss of life at sea, it was unaccountable that such matters should not be provided for, and unless they were dealt with many lives would be lost which might be saved.

Mr. GOSCHEN: A remark made in the course of the debate by the hon. Member for Derby (Mr. Plimsoll) gave considerable pain to some shipowners in this House. The hon. Member for Derby referred to the cases of two shipowners—Members of this House—and said that one of them had lost 100 men in the course of 12 months, while he quoted some statistics also about the other. Now, shipowners in this House feel that a general statement of this kind, not fixed upon any individual, and one, therefore, to which it was impossible for any one of them to reply, is rather a hardship. I ventured to communicate with the hon. Member for Derby on the subject, and he, approaching the matter with fairness and in the best spirit, anxious to do nothing which should prejudice the great cause he has at heart, has authorized me to say on his behalf that, seeing that the effect of his remarks might be to fix his statements on the wrong men, he regrets having made them at all, as it is far from his desire to create prejudice by any words, unsubstantiated by specific facts, affecting the general character of shipowners in this House. I think the House will be pleased to hear this statement.

Lord ESLINGTON said, he had pleasure in congratulating the President of the Board of Trade and the House on the fact that up to the present there had been an evident desire on the part alike of hon. Members who were shipowners and of those who might be described as treating the question from a national point of view, to approach the question calmly and to discuss it without resorting to the inflammatory language which had on some occasions been used both in the House and outside its walls. He had hoped that the present Bill would be so drawn as to effect a satisfactory and permanent settlement of the question; but he could not so regard it, for the reason that it contained no proposal to consolidate the vast mass of existing law on the subject. He hoped that before the measure left the House an assurance would be given by the right hon. Gentleman in charge of it that it was the intention of the Government to deal with the matter in this sense. It was very proper to rivet upon the shipowners the full responsibility of any action on their part which might endanger the safety of ships and the possible loss of valuable lives; but he contended that before they called upon a man to obey the law they were bound to make him understand what the law was. At the present moment the laws relating to Merchant Shipping were in a state of great confusion; and unless during the present Session some attempt was made to consolidate them, the House would only be adding another statute to the already vast mass of legislation on the subject. The present Bill was, in its main clauses, a re-enacting measure, and the new provisions which it contained were such as would be accepted with gratitude and satisfaction by the great body of shipowners. Upon one point, however—namely, the constitution of the superior Court which should decide such questions as those relating to the best construction of ships or machinery—he held strongly that one of the referees should be chosen by the shipowners themselves, so that the decision upon these important points should not rest with nominees of the Board of Trade. He regretted that prominence had not been given to the subject of the training of seamen and apprentices. Every encouragement ought to be given to shipowners to carry apprentices. Compulsory apprenticeship could not, of course, be enacted; but it was clearly the duty of the Government to remove any restrictions which at present prevented the proper development of the system of apprenticeship. In his opinion, the Mercantile Marine should be placed under the control of a competent Board. He would congratulate the hon. Member for Derby on the extreme moderation of his present demands, and wished to point out that while the shipowners of this country were content to accept the main principles of the Government Bill, they would do their best to modify many of its details in Committee.

MR. SAMUDA said, it was important to bear in mind that when they were seeking to pass a permanent measure the Government ought to accept reasonable and proper Amendments from whatsoever quarter they might come, in order that their Bill might be rendered as perfect as possible. Although he agreed with most of the proposals which it contained, there were certain of its provisions which did not in his opinion meet the altered circumstances of the case since the end of the last Session. He should desire to see a provision introduced into the Bill absolutely prohibiting the change of the name of a vessel. It was a common thing for the names of vessels of the most inferior class to be changed, notwithstanding the obstacles the regulations of the Customs and the Board of Trade placed in the way of such proceedings. The result was that the thing was so cleverly done that the public were deluded into trusting their lives in vessels, sailing under a new name, that were utterly unseaworthy. As to deck cargoes the penalty was not sufficient, they ought to be absolutely prohibited in the cases of voyages across the Atlantic, when they were found to be inconsistent with the public safety. It had been said that if all these restrictions were placed on English shipping, the result would be that the trade would be thrown into the hands of foreigners. But the question they had to determine was not as between English and foreign shipowners, but whether, in the interests of public policy, they were justified in making such laws as would tend to the destruction of property and of human life. It had been stated that night, and Returns bore out the fact, that the loss of life owing to the practice of carrying deck cargoes was five times as great since they had been allowed to be carried as it was when they were illegal. The fact was, that it was not in the interest of the nation to allow people to enter into a particular trade which resulted in loss of life. The right hon. Gentleman had made a broad statement to the effect that there was not an increasing loss of life and property at sea; but the only justification for his Bill was that there was an increase in such loss. With regard to the subject, he would remind the House that as he had stated on several occasions the Wreck Register showed in the five years ending in 1853 the total loss of ships was 969 per year, in the following five years 1,118, in the next five years 1,488, and in the last 1,748 per annum. Between 1858 and 1868 the number of ships and steamers on the British register had increased only from 27,000 to 29,000, so that whilst the increase of ships during those 10 years was 8 per cent the increase in losses was 50 per cent. During the same period the loss of life rose from 350 to 850 a-year. Everything ought to be done to restrain the carrying of goods on deck, because he believed that was a most dangerous mode of employing ships. With reference to load-line, he entirely agreed with the view of the Government, and believed compulsory classification to be unnecessary and impossible. The only load-line which it was practical to give to a ship was that load-line which the owner of the ship, acting on his own judgment, decided to be the correct line to use. His right hon. Friend proposed, very justly, to make every shipowner mark his line; but he put no penalty whatever on a non-adherence to that line. He (Mr. Samuda) thought a clause ought to be inserted in the Bill compelling a shipowner who had marked his line to pay for all losses which might result from overloading. He regretted that no mention was made in this Bill of a subject with which the Bill that was dropped last Session proposed to deal—namely, seamen's advance notes. He admitted that a great many disadvantages were connected with the system of making advances to seamen; but he also believed it was absolutely impossible to do without advances of some sort. They ought to face that subject. He fully approved of his right hon. Friend's desire to obtain a certificate of health, and he approved of the plan he had adopted for that purpose; but he feared that he would meet with a great deal of opposition. The right hon. Gentleman the Chancellor of the Exchequer had brought forward a Bill which dealt with restriction on insurance which he (Mr. Samuda) believed to be the essence of the whole question. He approved of that Bill, but he wanted it to go further, and to provide that the amount to be recovered by insurance in cases of total loss should be restricted to three-fourths of the amount insured. Such a provision would effectually ensure care on the part of shipowners, and prevent to a great extent disasters at sea. On the whole he should give the Bill his cordial support, and assist the Government in passing it as soon as possible.

SIR CHARLES ADDERLEY acknowledged the very encouraging spirit in which the debate had been conducted, and hoped the House would feel that the Bill itself had been framed in the same fair spirit, and with the wish to meet the very serious national evils the existence of which all admitted, their only ground of difference being as to the mode in which those evils could be dealt with most satisfactorily. That Bill was not, as one speaker had described it, a re-enactment of a hasty measure of last year; because the temporary Bill of last year, with the exception of its 1st section, for enabling the Board of Trade to delegate some of its functions to detaining officers, was taken out of the dropped Bill, which was prepared with the greatest care, and introduced with the greatest deliberation at the commencement of the Session. There had been no hurry in the composition of the present Bill, which had, in fact, had a longer period of gestation than almost any measure he knew of; while, moreover, it had had the peculiar advantage of six months' trial as an experiment to test it. There were no novelties in this Bill except two valuable additions; the one the appeal given from the judgment of the Board of Trade surveyor to a new Court constituted for the purpose, and the other, the appointment of a superior Judge for inquiries into casualties. Those two improvements had been very much derived from advice and information acquired on a circuit of some of our principal ports which he had the advantage during the Autumn of making in company with his hon. Friend the Parliamentary Secretary of his Department, whose advent to the Board of Trade nobody more highly appreciated than he did. While on that tour as much of their time was spent in communications and discussions with the seamen of the various ports as with the shipowners, and valuable suggestions had been equally obtained from both of those interested classes. The criticisms offered upon that Bill divided themselves into its sins of omission, and its sins of commission. The noble Lord the Member for South Northumberland (Lord Eslington) complained that the measure did not embrace a consolidation of the law. He thought he had given sufficient reasons against attempting this now in his introduction of this Bill; but something had been done in the way of a temporary substitute for consolidation by the preparation of a digest of the law and a copious index which rendered the law perfectly intelligible to anybody. That was, he thought, as much consolidation as he now could do. The various provisions of all the Acts on this subject were so collated as to form, practically, one consolidated Bill, with the advantage of a very elaborate table of reference. The consolidated Bill, which was thrice in vain introduced by the late Government, was not very much better, and rather larger than that to digest. However, he could not, for the reasons he had given in the previous discussion, undertake the consolidation of the whole of the law affecting Merchant Shipping at the present time. The hon. and learned Member for Chatham (Mr. Gorst) complained that the clauses in the Bill of last Session on the subject of the discipline of seamen had been omitted in this Bill. That was done purposely, and he thought rightly, because the existing law was not so much deficient as its exercise; and the clauses he introduced were more for the sake of methodizing than altering. His chief alterations were offering an alternative of forfeiture of wages for imprisonment; but he was blamed for intruding the subject altogether in the way of what the House was more intent upon. The hon. Member for Derby (Mr. Plimsoll) had very naturally complained that this Bill did not embody his views in regard to a compulsory Government survey and classification of ships. Now, while complimenting that hon. Member on the moderation with which he had spoken that night, he must remark that that moderation was no doubt due to the fact that the hon. Gentleman had found himself obliged, in attempting to work out his object, to change perpetually his own proposals. The hon. Member's proposition now amounted to this—that ships which were not classed by Lloyd's or at Liverpool should be classed by the Government; and in order to do that he was compelled to ignore all the other registries and all the private clubs, and to except many of the best lines of ships which did not classify or insure at all, leaving to the Board of Trade only the ships that were, in his opinion, badly classed or too bad to class. If, then, the Board of Trade was to have nothing to do but to look after the worst class of ships which endangered life, that was really what the Department attempted now to do as a matter of police; so that they and the hon. Member came unintentionally to a common ground, only he maintained that his was the right and safe principle, and the other fraught with infinite mischief even to its ostensible object. As to the complaint of the hon. Member for the Tower Hamlets (Mr. Samuda) that the Bill did not deal with the system of advance notes, the more he thought of the subject the more he saw that it was a matter which the shipowners had in their own hands. If the advance note system led to demoralization, why did they not leave it off, as many of the best lines had already done? He hoped shipowners would see that this was a matter of private arrangement between them and their servants, in which legislation ought not to be called upon to help them. As to sins of commission in the Bill, the clause asserting it to be a misdemeanour to send an unsafe ship to sea, was accused of making men prove their innocence. It was a misconception to say that the Bill threw the onus of proof on shipowners. The fact was first proved which gave *primâ facie* evidence of a grave crime—that of knowingly sending a ship to sea in a way to endanger life. There was then offered means of self-exculpation by a man's proving that he had used all reasonable means of safety. It was said many shipowners did not know the condition of their ships, but that was no reason why the Government should find such information for them; and there was no other trade that pleaded ignorance of the undertaking and asked Government to supply the requisite science for it. It was supposed by the hon. Member for Warwick that the 4th clause, disputing shipowners' liability to seamen, deviated from the late Act in including accidents from fellow-servants, but he would see it was not so; the wording was simplified, but the substance remained the same. The hon. Member for Stoke (Dr. Kenealy) asked when it could be justifiable to send an unsafe ship to sea, which words occurred in the Bill and in the existing law. The answer was, when a ship put into a port where she could not be repaired. The hon. Member for Derby said that the issue between them was whether ships should be allowed to go to sea that required to be repaired, and the hon. Member added—"May God defend the right!" but there was no such issue involved. It was admitted that there were ships that needed repair and that they ought to be repaired, and that overloaded ships ought not to go to sea; the only issue was as to the mode in which repair should be secured and overloading prevented. The Government proposed to throw the responsibility on those who understood their own business or ought not to undertake it, and to interfere only when life was endangered; the hon. Member proposed to cast the responsibility on the Government and to invest a Commission, consisting of retired shipowners by the side of the Board of Trade, with executive and legislative powers. Parliament would certainly not permit such a Commission to exercise legislative functions in so important a matter, nor set up a double executive by way of curing one. If the Board of Trade was to undertake unlimited responsibility and partnership in connection with the trade of the country it certainly would require to be reconstituted; but if it was to keep to its proper functions, and only to watch the interests of the public in connection with private enterprize, and see that human life was not unnecessarily endangered, it was not overworked, but was equal to all that Parliament required of it, and there was no necessity to create a second body to hold one rein while it retained the other. He entertained a confident hope that the Bill would furnish a basis for a satisfactory settlement of all the points on which the country were now intent, demanding amendment of the law for greater security of life at sea.

Mr. E. COLLINS said, he had pleasure in giving a general support to the Bill of the right hon. Gentleman the President of the Board of Trade, who dealt with this difficult and delicate question in a manner acceptable to shipowners and satisfactory to the country. It was too much the practice to treat this as if it were merely a shipowners' Bill; he contended it was a question of larger public policy, affecting the more important trade interests of this country. He was not at present disposed to discuss the clauses of the Bill: if he were so disposed, his criticisms would be of a friendly character. He preferred to confine his observations to suggestions to hon. Gentlemen who professed sympathies for seamen, that they could find a large field for them if they directed their attention more to the means for elevating seamen from the wretched habits of drunkenness and disorder, to which they were perhaps more prone than any other class in the community. He regretted to have found persons throughout the country agitating the minds of sailors, and impressing them with a belief that their interests were not provided for, whilst the capitalist classes got all the benefit of legislation affecting shipping. This was not creditable to persons who could better employ themselves in advocating temperance amongst seamen, in educating them in their duties, and in other such measures as might rescue this most valuable class from degrading habits, and render them more respectable than they were. All would cheerfully admit that the hon. Member for Derby had done much to improve the condition of the sailor—he had roused public attention to this most important of our national obligations. Having now advanced the question to a position enabling it to be dealt with effectively by practical men, he ventured to believe that his patriotism and generosity which all admired would find still greater recognition if he now left the subject in the hands of Government, giving them his valuable aid in producing a really good measure. He could not sit down without expressing regret that the hon. Member for Derby had, in his speech to-night, reflected on two Members of this House, imputing to them more than mere words conveyed, when he told the House that within a period of 12 months one had lost seven ships with 100 precious lives, and the other four ships with over 28 lives. Such imputations had been before now disproved, when it was shown to the satisfaction of the House that no blame attached to the owners, since the ships had a high classification and were greatly under-insured. He appealed to the hon. Gentleman in the spirit of generosity for which he gave him credit, to withdraw irritating imputations in deference to the feeling of the House.

MR. D. JENKINS considered that the question of load-line had been satisfactorily disposed of by the Bill of last year, and expressed a hope that the Government would abolish deck cargoes, excepting with regard to certain goods which could not be carried below. He believed that the machinery provided at the various ports for the stoppage of ships reported on as unseaworthy would prove both cumbrous and ineffectual. It was absolutely essential that surveys instituted under such circumstances should be conducted by experienced persons. With respect to the compulsory survey of unclassed ships there was great difference of opinion; but many shipowners were in favour of it, and the proposal of the Government was a step in the right direction, inasmuch as it would tend to prevent disasters at sea, which was as much desired by shipowners as by any other class. He believed, on the whole, that though the Bill might be improved in Committee, it was a good Bill, and he should support the second reading.

MR. E. J. REED said, he believed that though the measure would not be a final one, it would be, to a considerable extent, a permanent one; because it showed that the Government were desirous of showing their sympathy with public opinion upon those points on which public opinion was generally made up. With respect to compulsory survey, that would one day take its place on the Statute Book, and it would be found to give less trouble to the Government, to shipowners, and be of greater advantage to the public than any course short of such an enactment. Such a thing could not be done in this Parliament, and therefore he should give the Government his most cordial support in carrying through the present measure, and would not be too exigent in regard to any Amendments which might be proposed. They were discussing a general measure, and he deprecated the complaints which had been made by hon. Members on strong expressions of the hon. Member for Derby. It was better to treat the subject as one of national importance than to impart personal considerations like that into it. Ships had exhibited very strange incidents during the Recess; and considering that the Prime Minister had uttered his little personal gibe at a former Minister, because he was a returned colonist, the hon. Member for Derby might be permitted to speak of the vessels in the way he had spoken this evening, although the hon. Member had withdrawn his statement when appealed to by the right hon. Gentleman the Member for the City of London to withdraw it. One point was deserving of notice. While the representatives of shipowners in that House deprecated the interference of Government with Merchant Shipping, they, at the same time, insisted on urging upon the Government the duty of making provision for a supply of seamen to our Mercantile Navy. Why should they do that? They were no more bound to do that than to supply workmen for any other trade. All they could do was to aid shipowners in any effort they might make for that purpose. With regard to grain cargoes and the load-line, it would be possible to improve the clauses when they got into Committee; and he would venture to suggest to the Government that before the Bill went into Committee, they might select and incorporate in it such Amendments as had been placed on the Paper which they might consider to be improvements. He thought the Government had done well in concentrating attention upon a few practical leading points, instead of attempting the consolidation of all the statutes as to Merchant Shipping. Such a measure would have led to debates which could have ended, that Session, at all events, in nothing. He regarded the proposal of the Government that in the event of a quarter of the crew joining in a representation to stop a ship they would be exempt from punishment, as one which met the difficulties of the case, and he only hoped that the Government would give to the suggestions that would be made in Committee such consideration that the Bill—which was a Bill in the right direction—might become a workable, and, if possible, a final measure.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

INDIAN LEGISLATION BILL—[Bill 54.]

(*Lord George Hamilton, Mr. Attorney General.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord George Hamilton.*)

Mr. BECKETT-DENISON said, he should move certain Amendments in Committee. By the present law it was not lawful for Her Majesty to disallow law passed by the Governor General in Council, but by this Bill it was proposed to give power to Her Majesty to disallow such law or any part thereof. There were other objections to the Bill in giving power to the Governor General to pass new measures.

Mr. FARLEY LEITH expressed his satisfaction that the provisions of the present Bill were different from those unconstitutional ones which were contained in the measure discussed last Session, and stated that he should also propose some Amendments in Committee to remedy what he considered to be its faults.

Sir GEORGE CAMPBELL much preferred the Bill which the Government had introduced last year to the measure at present before them, and he regretted that the Government had given way so much to the lawyers. He looked upon the present as an unconstitutional measure.

General Sir GEORGE BALFOUR strongly protested against the unprecedented and objectionable proposal to allow a Court-martial to interfere with laws that had been passed by the Government of India. It was only right that some safeguard against objectionable legislation should be provided; but the mode of doing so, as provided by this Bill, of allowing Courts for the administration of justice and Courts-martial to challenge the validity of laws duly passed by the Indian Government, at the very time those courts were assembled to try cases under such laws, appeared to be open to the gravest objection.

Mr. FAWCETT thought that to bring on the Bill at 12 o'clock at night without explanation, was a significant illustration of the amount of interest taken by that House in the affairs of India. It was a fitting comment upon the views in respect to the despotic rule of India which had been expressed early in the evening. He asked the Government whether the Bill had been submitted to the Governor General and his Council and they approved of it? There were those who were most deeply interested in the affairs of India who looked with the utmost concern upon the manner in which the Governor General was controlled by telegraph from Whitehall, and he was inclined to think that that control had largely increased during the last two years.

Lord GEORGE HAMILTON said, the hon. Member who had just sat down was in error in supposing that it was intended to diminish the powers of the Governor General by this Bill; on the contrary, its object was to strengthen the hands of the Governor General. Certainly the Government of India had an objection to the Bill that it did not go far enough; but its simple object was to give to the Governor General a Parliamentary title to his legislative powers. The Bill had two objects; the first to define more clearly the duties and powers of the Governor General, and the second to provide a quick and sure method of testing whether he had exceeded those powers.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

MUNICIPAL PRIVILEGES (IRELAND) BILL—[Bill 39.]

(*Mr. Maurice Brooks, Mr. Butt, Mr. Ronayne.*)

SECOND READING.

Order for Second Reading read.

Mr. M. BROOKS, in moving that the Bill be now read the second time, said, its object was to assimilate the law regarding the election of high sheriffs for cities and boroughs in Ireland to that of England and Scotland. Should the Bill pass, it would simply restore to Irish corporations privileges which they formerly enjoyed, but of which they had been deprived. The hon. Member concluded by moving the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Maurice Brooks.*)

Sir ARTHUR GUINNESS, in the absence of the hon. Member for Armagh (Mr. Verner), moved the rejection of the Bill. He denied that public opinion in

Ireland was favourable to giving to corporations the appointment of high sheriffs or clerks of the peace; but, on the contrary, the general opinion was that these appointments should continue to be vested in the Crown.

MR. I. T. HAMILTON seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Arthur Guinness.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR MICHAEL HICKS-BEACH appealed to the hon. Member for Dublin not to persist in his opposition to this stage of the Bill, but to allow it to pass the second reading, and to endeavour to amend anything he might consider objectionable in Committee. It would be advisable that the Committee on the Bill should be postponed for some time, in order that hon. Members might have before them the proposals which the Government intended to make for uniting the offices of Clerk of the Crown and clerk of the peace in Ireland. Should these proposals be adopted, the office of clerk of the peace in boroughs could not be dealt with as suggested in this Bill. He would therefore recommend his hon. Friend to withdraw his Amendment.

MR. BUTT said, he had made a similar proposal with regard to Dublin, Cork, Limerick, Waterford, and Kilkenny. He did not succeed, and the Irish felt naturally dissatisfied that such a broad distinction was made between Irish and English corporations. He hoped the present Bill would be more successful.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* 2nd March.

PARLIAMENT—BUSINESS OF THE HOUSE.—RESOLUTION.

MR. DISRAELI, in rising to move a Resolution with respect to Supply as the First Order of the Day, said, the result of the Resolution would be to put an end to the numerous and well-founded complaints which had been made by hon. Members on both sides of the House that they never knew when the great Estimates—more particularly those relating to the Army and Navy—were coming on for discussion. Amendments on miscellaneous subjects frequently occupied the whole evening; and hon. Members, after having attended several times, watching for an opportunity of revising or checking the great sources of public expenditure, for those services whose condition was a subject of universal interest, found the opportunity had been lost, and got weary of the disappointment and the uncertainty of the Estimates being discussed. Practically the effect of the Resolution would be that on Monday, and on Monday only, when the Committee of Supply was moved, the Speaker would leave the Chair as a matter of course, and the only Amendments which could be discussed would be those on the subject before the House respecting the Army or Navy. The Resolution had originated with the Committee on Public Business which sat in 1871, and of which he and, he believed, the noble Lord opposite were Members. It was introduced into the House modified, at the suggestion of Mr. Bouverie, a great authority on the Business of the House, who altered the last three lines. It was adopted by the then existing Government as an Order which considerably and beneficially affected the conduct of Business during the remaining years of the last Parliament. The year before last, when the present Government had the responsibility of managing the Business of the House, he did not think it necessary to make a Motion of this kind. This year, however, he wished to adopt the course which was sanctioned by the last Parliament. He was prepared for the complaints that this was an attempt to diminish the privileges of private Members. Generally speaking, he agreed that those privileges ought not to be curtailed, and he had given many instances, not only on that, but also on the other side of the House, of his sympathy with their views in this respect. At the same time the passing of the Estimates was one of the highest duties—if not the highest duty—of Parliament, and it was therefore desirable that they should be passed in a full House. He wished to put an end to that state of things, and he therefore asked the House to revert to the course which their Predecessors had adopted by accepting the Resolution. The right hon. Gentleman concluded by moving the Resolution.

Motion made, and Question proposed,

"That whenever notice has been given that Estimates will be moved in Committee of Supply, and the Committee stands as the first Order of the Day upon any day except Thursday and Friday, on which Government Orders¦have precedence, the Speaker shall, when the Order for the Committee has been read, forthwith leave the Chair without putting any Question, and the House shall thereupon resolve itself into such Committee, unless on first going into Committee on the Army, Navy, or Civil Service Estimates respectively an Amendment be moved relating to the division of Estimates proposed to be considered on that day."—(*Mr. Disraeli.*)

MR. BERESFORD HOPE represented to the right hon. Gentleman at the head of the Government, that, granting the truth of a great deal of what he had said, it would not be agreeable to the great body of the House to find that a Motion of this sort, which very materially altered the relations of the Government to the House, had been carried at so late an hour at night, under these circumstances, which characterized the original introduction of the innovation in the former Parliament, when 13 Members of the present Government, including some Cabinet Ministers, voted in the minority against it, and the Tellers were the Judge Advocate General and the Under Secretary for Home Affairs. The House during the two last Sessions learned with much satisfaction that the right hon. Gentleman would not persist in the demand, and the disappointment would be proportionately great at so precipitate and high-handed a resumption of the claim. He begged to move the Adjournment of the Debate.

MR. GOLDNEY supported the Motion, on the ground that it would be very convenient for hon. Members to know with certainty when Supply was to be taken.

MR. CHAPLIN could not see that there was any such necessity for the House making this sacrifice as the right hon. Gentleman had stated. He hoped the Government proposal would be postponed; if not, he should feel it his duty to support the Amendment.

MR. SANDFORD said, that the effect of the Resolution would be to prevent grievances being brought before that House.

THE MARQUESS OF HARTINGTON said, that the Order, convenient as it was to the Government and to independent Members, was not perfect. Neither the late nor, he believed, the present Government wished to hinder Motions on going into Committee of Supply. But, under that Order, only one division could be taken on going into Committee, and thus Members would be precluded from bringing forward their views respecting the various services of the country. He thought the general feeling of the House would be consulted if the Government would undertake that Estimates should not be put down for Mondays, until an opportunity had been afforded to hon. Members who had given Notice of Motions to bring forward the subjects in which they were interested.

MR. BENTINCK was opposed to an infringement of the rights of private Members, and supported the Amendment.

SIR WALTER BARTTELOT said, they were all anxious to advance the Business of the House; but as a Member of the Committee which sat on the subject in 1871, he must say that the present proposal of the Government was exactly that made by Mr. Bouverie, and was opposed by many of the Committee, but eventually carried. He had the same objection to it now as he had then, and he thought a fair compromise would be—which he hoped his right hon. Friend the Prime Minister would accept—that only matters relating to the Estimates set down for discussion should be brought forward.

MR. DISRAELI thought the difficulty that had been suggested would be obviated by omitting the word "first," before "Order of the Day."

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Beresford Hope.*)

The House *divided*:—Ayes 44; Noes 136: Majority 92.

Question again proposed.

SIR GEORGE BOWYER, speaking seated, said, he was informed that the hon. Member for Cambridge University (Mr. Beresford Hope) had brought forward a Motion and had himself voted against it. He appealed to the Speaker to say whether that was in Order?

MR. SPEAKER said, that if, when the Question was put, the hon. Member for Cambridge University gave his vote as he gave his voice, he was in Order.

MR. GATHORNE HARDY proposed to amend the Resolution by leaving out the word "first."

Amendment proposed, in line 7, to leave out the word "first."—(*Mr. Secretary Hardy.*)

MR. BERESFORD HOPE explained that, a suggestion having been made from the Treasury Bench before the division, which considerably modified the Resolution, he had acted on the principle that half a loaf was better than no bread. The omission of the word "first" made it a very different state of things from that which had been forced on the House by the late Government. Their plan only enabled three Motions to be made on Supply Mondays through the entire Session. As it was proposed now, on every Monday of the Session, when Supply was brought forward, opportunity was also given for a grievance being brought forward germane to the particular Supply which stood on the Paper. By a little management, and by reserving military, naval, and Civil Service questions for these days, and allowing other matters to be brought on upon Tuesdays and Fridays, private Members would find themselves very fairly provided with legitimate opportunities for raising needful questions.

MR. DISRAELI said, that the effect of the Resolution, if agreed to, would be to prevent morning sittings as much as possible; and it was at the beginning of the Session that its true value could be best appreciated.

Question, "That the word 'first' stand part of the Question," put, and *negatived.*

Main Question, as amended, put, and *agreed to.*

Ordered, That whenever notice has been given that Estimates will be moved in Committee of Supply, and the Committee stands as the first Order of the Day upon any day except Thursday and Friday, on which Government Orders have precedence, the Speaker shall, when the Order for the Committee has been read, forthwith leave the Chair without putting any Question, and the House shall thereupon resolve itself into such Committee, unless on going into Committee on the Army, Navy, or Civil Service Estimates respectively an Amendment be moved relating to the division of Estimates proposed to be considered on that day.

POOR LAW AMENDMENT BILL.

On Motion of Mr. SCLATER-BOOTH, Bill to provide for the better arrangement of Divided Parishes and other Local Areas, and to make sundry amendments in the Law relating to the Relief of the Poor in England, *ordered* to be brought in by Mr. SCLATER-BOOTH and Mr. SALT.

Bill *presented,* and read the first time. [Bill 78.]

MARRIAGES (SAINT JAMES, BUXTON) BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to render valid Marriages heretofore solemniesd in the Chapel of Ease of Saint James, in the parish of Buxton, in the county of Derby, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. Secretary CROSS.

Bill *presented,* and read the first time. [Bill 79.]

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 18*th February,* 1876.

MINUTES.]—PUBLIC BILL—*First Reading*—Crossed Cheques (12).

PRIVATE BILLS.

Ordered, That this House will not receive any petition for a Private Bill after *Friday* the 17*th day of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any petition for a Private Bill approved by the Court of Chancery after *Thursday* the 4*th day of May* next:

That this House will not receive any report from the Judges upon petitions presented to this House for Private Bills after *Thursday* the 4*th day of May* next.

CROSSED CHEQUES BILL.

BILL PRESENTED. FIRST READING.

THE LORD CHANCELLOR, in presenting a Bill for amending the Law relating to Crossed Cheques, said, he thought he would best consult the convenience of their Lordships by reserving an explanation of the provisions of the Bill till it was in print. The subject was a technical one, and therefore any remarks of his by way of explanation would come better on the second reading.

Bill *presented;* read 1ª, to be *printed.* (No. 12.)

JUDICATURE ACT, 1873—ABOLITION OF THE HOME CIRCUIT.

QUESTION. OBSERVATIONS.

VISCOUNT MIDLETON rose to call attention to the contemplated abolition of the Home Circuit, and to ask, What were the intentions of the Government with respect to the Surrey Assizes? Under the Act of 1875, which empowered the Queen by an Order in Council to alter the arrangement of the Circuits, a re-arrangement had taken place, the practical result of which was—Hertfordshire, Kent, and Sussex had been joined to the Norfolk Circuit, and the Home Circuit was no more. Having had the honour of being for some years a member of that Circuit, he could not but look with regret to the severance of old ties and old associations, which the separation must occasion—nor could he forget how many men of learning and intelligence that Circuit had contributed to the Bar and the Bench. He could see no grounds whatever for the abolition. Moreover, an apprehension had existed since the charge of Baron Bramwell at Guildford, that the Surrey Assizes were to be hereafter held at Newington—a change which could not but be attended with great inconvenience to the jurors. The feeling of the county, of the assize towns, and of the Bar, was adverse to the change. He begged to ask his noble and learned Friend on the Woolsack what were the intentions of the Government with respect to the Surrey Assizes?

THE LORD CHANCELLOR said, he could not help feeling very well satisfied that his noble Friend had introduced the subject to their Lordships' attention, because when a person so observant and usually so well informed as his noble Friend laboured under such misconceptions as to what was proposed, it was in the last degree likely that misconception of the same kind would be spreading unduly over the county of Surrey. As a well-remembered and respected member of the Home Circuit his noble Friend was entitled to speak of the rending of old ties and old associations which would be caused by the new arrangements made with respect to that Circuit. Of course, a change as to a Circuit must prove inconvenient in some respects to members of that particular Circuit; but time and circumstances would demand that changes should be made in Circuits, as well as in most other things. In truth, the noble Lord himself was an example of what had been done in respect of the county of Surrey. His noble Friend was a Member of the Legislature last year, and, therefore, shared the responsibility for the Act passed last Session, in which it was provided that, by Order in Council, Her Majesty might provide for the formation, or alteration, or entire discontinuance of a Circuit. The Judicature Act had rendered a change in the Circuits absolutely necessary, with a view to overcome the pressure of business in particular places and to economize judicial time. Now, putting aside Surrey, the change in respect of the Home Circuit was only one in name. As Surrey was to be dealt separately with, manifestly the other counties which with it had composed the Home Circuit would not have been sufficient to constitute a Circuit. Accordingly it became necessary to join what remained of the Home Circuit to another Circuit, and the only Circuit to which it could be joined was the Norfolk Circuit; but in order that the newly-constituted Circuit should not be too large it, was necessary to take some counties from the Norfolk and add them on to the Midland Circuit. Then came the question, by what name the consolidated Circuit should be called. He had no prejudice in the matter. He was anxious to do what would be most agreeable to all parties concerned, and he put himself in communication with the Judges. There was no difference of opinion between those learned personages, and he heard no remonstrance from any one when it was proposed to change the name. Suppose the Circuit as now formed was called the Norfolk Circuit, there could be very little doubt that objection would be made by Kent and Sussex. On the other hand, what would the county of Norfolk say to having it called the Home Circuit? In the North, where a slice was taken off the Northern Circuit, a new name, "the North-Eastern," was given to the newly formed Circuit. A similar course was adopted when the name "South-Eastern" was substituted for "the Home" and "the Norfolk." He should have been very glad if both could have been preserved, but it would have been impossible to preserve either without causing some dissatisfaction. As regarded the question of Surrey, that was one not of form, but of substance; but on the part of the Government there had been no intention to abolish the Assizes for that county. The Act of last year gave Her Majesty in Council the power to issue Commissions for the trial of criminals and civil business in places which did not form a portion of a Circuit. What had happened in the case of Surrey was this—The time for the *Nisi Prius* sittings in London and Middlesex was very limited as compared with the number of London and Middlesex cases to be tried. Suitors, rather than have them postponed for an indefinite time, took them to the county of Surrey. The consequence was that at the Surrey Assizes there always appeared to be a good crop of civil business—and so there was; but it was not Surrey business, but business properly belonging to London and Middlesex. While the Assizes in other counties lasted two or three days, those in Surrey lasted weeks, and London solicitors and London witnesses went down to Croydon, Guildford, or Kingston to attend the hearing of cases which ought never to have left the metropolis. The grievance of such a state of things had frequently been pointed out; and by the arrangements under the Judicature Act for continuance sittings of *Nisi Prius* Courts in London and Middlesex, its continuance was rendered unnecessary. All that remained to be done was to make provision for the discharge of the Surrey business proper. It was determined that a Commission should issue for that county, and that two of the Judges who had remained in London when the others went out on Circuit should go to Guildford or Croydon or Kingston and hold sittings of Oyer and Terminer and *Nisi Prius*. The Commission was already issued for the Spring Assizes, which would be held by the Lord Chief Justice of England and another learned Judge. His noble Friend (Viscount Midleton) had spoken of the feeling of the County of Surrey. He (the Lord Chancellor) would read an extract of a memorial addressed to the Privy Council last year by the Mayor, Aldermen, and Burgesses of the borough of Guildford. It was in these terms—

> "Your memorialists believe that by a proper re-arrangement of the sittings in London and Middlesex and by confining the Assizes in Surrey to the trial of cases belonging properly to the county, any inconvenience at present sustained by the Bench, the Bar, or the public may be duly met, without the ancient rights and privileges enjoyed by the county of Surrey and borough of Guildford being taken away."

What was there prayed for was just what had been done. As to the proposition to have the Assizes for Surrey held at Newington, no such proposition had been put forward by the Government, and the Commission for the Spring Assizes would go to one of the boroughs in which the Assizes were usually held. To show, however, that the county of Surrey was not quite unanimous on this point, he might mention that a representation in favour of holding the Assizes at Newington had been made. In that representation it was urged that the greater number of the prisoners to be tried at the Assizes were confined at Newington. That might be so; but as the Government had not proposed such a change he did not feel it necessary to follow his noble Friend into his arguments on that point. He trusted he had given a sufficient explanation of the measures which had been adopted with the sanction of Her Majesty's Government.

VISCOUNT MIDLETON was sure the statement of his noble and learned Friend would be very satisfactory to the county of Surrey.

House adjourned at quarter before Six o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 18th February, 1876.

MINUTES.]—SUPPLY—*considered in Committee* CIVIL SERVICE ESTIMATES—Class II.

PUBLIC BILLS — *Ordered* — *First Reading*— Medical Practitioners (Ireland) * [81]; Grand Jury Laws (Ireland) * [80]; Civil Bill Courts (Ireland) * [82].

Second Reading—Commons [51].

CONTROVERTED ELECTIONS.

Mr. Speaker informed the House, that he had received from Mr. Justice Quain, one of the Judges selected, pursuant to the Parliamentary Elections Act, 1868, for the trial of Election Petitions, a Certificate and Report relating to the Election for the Borough of Horsham. And the same was read, and ordered to lie on the Table of this House.

ROADS (SCOTLAND)—LEGISLATION.

QUESTION.

Lord DALKEITH asked the Secretary of State for the Home Department, If he intends to introduce a Road Bill for Scotland this Session?

Mr. ASSHETON CROSS, in reply, said, that it was the intention of the Lord Advocate to introduce such a Bill as early as it was convenient to do so.

JUDGES' CHAMBERS—ADMISSION OF REPORTERS.—QUESTION.

Mr. WATKIN WILLIAMS asked the Secretary of State for the Home Department, Whether it is true, as stated in the legal journals, that Her Majesty's Judges have passed a resolution to the effect that reporters shall not be admitted to hear and report the decisions upon the matters disposed of at the Judges Chambers in Serjeants' Inn; whether any reason has been assigned for that proceeding; and, whether the Government will take any steps in the matter to prevent the exclusion of reporters from the Judges Chambers?

Mr. ASSHETON CROSS, in reply, said, that having consulted the learned Judges on the subject referred to in the hon. and learned Gentleman's Question, he had received a letter from Mr. Justice Lush, in answer to his inquiry, to this effect—That it was a matter of common knowledge with the profession that the rooms in which Judges sat in Serjeants' Inn were not, and never had been, open to the public. There was no accommodation in them, and none could be provided there, for the reporters; but it was quite true that in the early part of November, when the Judicature Act first came into operation, an application was made to Mr. Justice Lush, as the Judge then sitting in Chambers, to allow a reporter to attend in order to furnish for one of the law papers notes of the decisions under the new Act. Mr. Justice Lush went on to say that he thought the occasion was so exceptional, and that the publication of the early cases upon points of practice would be so beneficial to the profession, as to justify him in departing from the established usage for the time; and some arrangements were made for one gentleman of the Press to be admitted, on condition that he supplied others with the reports. The arrangement was considered as temporary and exceptional, and not to be taken as a precedent for the future. At a meeting of the Judges, which had been recently held, it was considered that the Judicature Act had been long enough in operation to make any further reports unnecessary, and they therefore reverted to the original practice. The matter was one entirely in the discretion of the learned Judges, and in which he could not interfere.

JUDICATURE ACTS—JURYMEN.

QUESTION.

Mr. LOPES asked Mr. Attorney General, Whether, having regard to the increased and increasing burdens imposed upon jurymen by the Judicature Acts, Her Majesty's Government intend to introduce a measure this Session for the amendment of the jury system; and, whether such measure will contain the provisions of a Bill introduced in the Session of 1874, which passed through Committee, and was approved of by this House?

The ATTORNEY GENERAL, in reply, said, a Bill had been prepared by Her Majesty's Government, and would be introduced as soon as possible, having due regard to the state of Public Business and the prospects of its passing into law. It would contain the principal provisions of the Bill introduced in 1874.

ELEMENTARY EDUCATION ACT, 1870—SCHOOL BOARD PROSECUTIONS.

QUESTION.

Mr. BOORD asked the Vice President of the Committee of Council on Education, Whether his attention has been directed to the following case, which was heard at the Greenwich Police Court on the 8th instant:—

> "John Speer was summoned for neglecting to pay a School Board fine of 6*d.* and 2*s.* costs, imposed for not sending his son to school. The defendant, who was nearly blind, in a very feeble state of health, and unable to work,

stated that it was quite out of his power to pay the amount. His wife, who assisted to support the family, had just been confined. He had two other children, and that morning the whole family had only a pound of bread and a pennyworth of tea and sugar for breakfast between them. He was committed for five days to Horsemonger Lane Gaol;"

and, whether, in view of the frequent occurrence of cases involving great hardship, he is prepared to make any suggestion whereby the operation of the Elementary Education Act, 1870, may be rendered less oppressive to the poor?

VISCOUNT SANDON: I am, of course, aware of the statement to which my hon. Friend calls my attention. But as I mentioned to my hon. Friend last week, I have no means of investigating the circumstances of the cases occurring under the compulsory bye-laws of the school boards; nor have I any authority to interfere with the school boards or magistrates in the execution of the difficult duties imposed upon them by Parliament under the Act of 1870, when they have passed compulsory bye-laws. Sir Charles Reed, however, has written to offer me all the information which he possesses on the subject, and I must say that the statement which he has sent appears to me, as far as it goes, to alter considerably the aspect of this case from that which appears in the paragraph to which my hon. Friend alludes; and he has also sent a letter from the magistrate who tried the case. The statement, however, is necessarily so long that it would be impossible for me to trouble the House with it in answer to a Question. I will, therefore, show it to my hon. Friend, and if he desires, I shall be happy to place it upon the Table of the House. I hope my hon. Friend will not think that I do not share his most natural feelings of pain at the hardships which must, I fear, necessarily arise in dealing with the great evils which the Act of 1870 endeavours to meet; but I am bound to say that, as far as my information goes, I think there has been a great deal of exaggeration in these matters.

MR. W. E. FORSTER said, he thought it would be well that the statement should be laid on the Table.

CRIMINAL LAW—AGGRAVATED ASSAULTS ON WOMEN.—QUESTION.

COLONEL EGERTON LEIGH asked the Secretary of State for the Home Department, Whether, if there is time, the Government will bring in a Bill, similar to that of last Session, for the protection of women, &c. from Aggravated Assaults?

MR. ASSHETON CROSS, in reply, said, he had been requested to postpone the further inquiries which he had to make until after the Spring Assizes, when no doubt he would receive the replies of the learned Judges.

NAVY—WIDOWS OF SEAMEN AND MARINES.—QUESTION.

CAPTAIN PRICE asked the First Lord of the Admiralty, Whether he has examined the amended proposal for the formation of a Fund for making provision for the Widows of the Seamen and Marines of the Fleet; and, whether he will recommend the Government to assist the scheme by an annual grant; or, if he will state to the House the position in which the matter now stands?

MR. HUNT, in reply, said, he had referred the amended proposal to the Accountant General of the Navy; but that, in consequence of the pressure in the Department occasioned by the preparation of the Estimates, the Report had not yet been made, and therefore he was unable at present to make any statement on the subject.

ARMY—PROMOTION IN THE ORDNANCE CORPS.—QUESTION.

MAJOR BEAUMONT asked the Secretary of State for War, Whether the promotion of the Officers of the Ordnance Corps is under the consideration of the Royal Commission now sitting on Army Promotion; and, in the case of those Officers of Artillery and Engineers where promotion has been lost owing to Lord Cardwell's arrangement of 1872 not having been acted on since 1874, whether the promotion so lost will be made good to them?

MR. GATHORNE HARDY, in reply, said, he had reason to believe that the subject of promotion of the officers of the Ordnance Corps was under the consideration of the Royal Commission now sitting on Army Promotion. He did not understand that any engagement had been entered into with the officers of Artillery and Engineers which had been broken, although no doubt the proposal of 1872 in reference to promotion had not been carried out. Before anything was done in the matter it would be necessary to wait until the Report of the Commission was received.

GRAND JURY SYSTEM (IRELAND)—LEGISLATION.—QUESTION.

Mr. MOORE asked the Chief Secretary for Ireland, Whether he intends to introduce a Bill this Session dealing with the Grand Jury System in Ireland ?

Sir MICHAEL HICKS-BEACH: Sir, I expressed more than once last year my hope of being able to introduce a Bill on this subject, and towards the end of the Session I sketched out the lines upon which, as it appeared to me, the reform of the Grand Jury Laws should proceed. My views did not receive the approval of hon. Members opposite ; but I still hope to propose legislation with regard to this matter. Whether, however, I shall be able to do so in the present year must depend on the progress of measures dealing with other matters of importance in Ireland, which have appeared to the Government to be of a more pressing character than Grand Jury reform. I cannot think that any useful purpose would be served by the introduction of a Bill without some hope of proceeding with it within a reasonable time.

ELEMENTARY EDUCATION ACT, 1870—SCHOOL BOARD SCHOOLS—RELIGIOUS INSTRUCTION—QUESTION.

Mr. RICHARD asked the Vice President of the Council, Whether it is true, as alleged in the "Pall Mall Gazette" of the 2nd instant, that there is reason to believe the practice was observed until recently in certain localities of giving instruction in the Church of England catechism in School Board Schools; and, if so, whether he will state to the House in how many cases the returns reported such instruction was given in Board Schools, and what course the Educational Department has taken in regard to those cases ?

Viscount SANDON: Sir, when the replies were received last year to the Return respecting religious instruction in board schools, moved for by my hon. Friend the Member for Plymouth, it was found that in the case of five board schools instruction was being given in the Church Catechism. None of these schools had been inspected since the date when they came under the control of the board, so that the time-tables had not been seen or approved by Her Majesty's Inspectors. Four of them had been previously Church schools, and were either temporarily occupied by the board, or were in course of being transferred to the board. Only one was a new school provided by a school board. A letter was at once, as a matter of course, addressed to the school boards, pointing out that Section 14 (2) of the Act was being violated by the provisions made for religious instruction, and stating that it would be the duty of the Department to declare the boards to be in default, unless the time-tables of their schools were at once brought into conformity with the requirements of the Act as to the admission of the Church Catechism. In every case the necessary alteration was at once made.

PATENT LAWS—LEGISLATION. QUESTION.

Mr. MUNDELLA asked Mr. Attorney General, Whether it is the intention of Her Majesty's Government to re-introduce, during the present Session, the Bill of last year on the Patent Laws ?

The ATTORNEY GENERAL, in reply, said, he intended to do so, with some modifications on matters of detail.

THE CIVIL SERVICE.—QUESTION.

Mr. WHEELHOUSE asked Mr. Chancellor of the Exchequer, with reference to the third section of the recent Order in Council applicable to the Civil Service, wherein it is stated that such situations in that service as are not suitable to be filled by members of the lower division are excluded from that Order, and shall, until Her Majesty's pleasure shall be further declared, be regulated, as now, by the heads of Departments to which they belong, Whether it be the intention of Her Majesty's Government forthwith to deal with the other recommendations of the "Playfair Commission" as regards the higher division, which so materially concerns the interests of the present members of the Civil Service ?

The CHANCELLOR of the EXCHEQUER, in reply, said, it was not the intention of Her Majesty's Government at present to issue any further Orders in Council with regard to the Civil Service. He would point out to his hon. Friend that the "Playfair Commission" to which he referred proposed a system applicable to the whole of the Service; but the Commissioners pointed out that the gist of their recommendations was the substitution of a large number of clerks of the lower division for the clerks of the higher division. They said that unless that could be accomplished they could not consider themselves justified, on account of the increased expenditure which would be entailed on the Government, in submitting their plans. Of course, it was impossible to adapt their plans by a stroke to the whole of the Service; and all that could be done at present was that which the Treasury had done—that was, to prepare a constitution of the lower division, and look to the gradual increase of the lower division which would take the place of a certain number of those who were unnecessarily employed in the higher division. At the same time this was a matter which would be dealt with in the several Departments; and if any Department made proposals for bringing the scheme into operation in that Department, and accompanied such proposals with a plan for re-organization, and, of course, reduction of the higher staff, the Treasury would be prepared to co-operate with the Department in such re-organization.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PARLIAMENT—PRIVATE BILLS—REFEREES.

MOTION FOR A SELECT COMMITTEE.

MR. ANDERSON, in rising "to call the attention of the House to the position of those officers of the House called 'Referees,' and to move for a Committee to inquire and report on that position, and particularly as to the legality and expediency of allowing 'Referees' the same power of voting on a Private Bill Committee as a Member of Parliament regularly elected by a constituency," said: In bringing before the House what appears to me an important constitutional question, I shall endeavour to do so without unduly trespassing on the time of the House. It may perhaps be asked why I should now call in question a decision of the House which was come to eight years ago, which was discussed at the time by hon. Members of far greater experience than myself, and which for those eight years has remained unquestioned. My reply is that the point which I wish to bring before the House appears to have been entirely unnoticed in the debates of that day; that it has never been called in question since, because the number of hon. Members who seem to be aware that these Referees were exercising a power of voting has been but small—and that in an institution whose powers and privileges are the growth of ages, eight years are by no means enough to create immunity from question. It was only near the end of last Session that I myself became aware that any one not an actual Member of this House had a vote in any stage of our legislation. I derived the information through finding that the vote of a Referee had decided the fate of two important local Bills in a way which I, with far better knowledge of the locality, considered illogical and absurd. Desiring to dispute the decision in this House on the third reading, I found that the actual decision had been given by one who could not come into this House to explain or justify what he had done. I thought that a most extraordinary and improper state of matters, and immediately set about inquiring how it should be so. I asked several old Members, but they knew nothing of it; in fact, did not believe it could be so at all. They had never heard of Referees voting. I then had recourse to Sir Erskine May's most valuable book, to the Standing Orders, and to the Journals of the House, and discovered that it was a thing of quite recent origin—that the power of a Referee to sit on a Committee had been conferred by a simple Resolution of this House only in 1868, and that the Resolution did not specify any power of voting. In the meantime I had failed in getting the House to upset the decision of its Committee, for the House hardly will do that in any case at all; and the consequence was, that a most unjust Bill had been passed through this House, nominally by the House itself, but really and practically by the vote of an outsider elected by no constituency, responsible to no constituency, not even responsible to this House — in fact, an utterly irresponsible individual, not even able to come into this House to explain his reasons. In this case fortunately, we had a House of Lords, and the blunder of this House was rectified there. I have said that the Resolution which enabled a Referee to sit on a Committee had not specified any power of voting. I may also say that in the whole debate the only trace that such a power was contemplated is in its incidental mention by the noble Lord at that time Member for the East Riding of Yorkshire (Lord Hotham), but alluded to by no other speaker, and it seems therefore very much open to doubt if the House really intended to confer voting power. But the point I wish to press is that, even if the House did intend to do it, it was unconstitutional and *ultra vires* to make such a change in the process of legislation by a mere Resolution, or in any other way than by an Act of Parliament; and it does seem to me to be a most unfortunate thing that the Resolution did not specify fully its whole scope, for in that case I think its unconstitutional character would have been detected at the time, instead of remaining till now, when it can be set right only by an acknowledgment of error, which the House, and especially the official element in the House, will be most unwilling to make. At the time when this error was committed, the Private Bill legislation of the House was in a state of great difficulty. The burden of that legislation was pressing heavily on Members, and it was urgently required that some means should be found of getting through that business more easily. In 1864 a Court of Referees had been established to examine the engineering and estimates of certain Bills, and to report on these to the Committees. That had been found to work well, in so far that their technical advice was a manifest aid to the Committees, but it was also found that in considering these details a large part of the evidence on the subject of the Bill had to be gone over before that Court of Referees, and afterwards be repeated before the Committee, and that this double evidence led to an extra expense, which it was thought might be saved. For that purpose it was proposed by the right hon. Gentleman now the Member for Chester (Mr. Dodson), then Chairman of Ways and Means, that the Committee of Selection might, if they pleased, refer any Bill entirely to the Court of Referees, which, I may mention, consists of the Chairman of Ways and Means along with three other persons appointed by the Speaker, and not necessarily Members of the House. That course was objected to by the House, and particularly by Lord Hotham, then Chairman of the Standing Orders Committee, who gave strong reasons against such an arrangement, one of which was that when such a Court reported to the House, and hon. Members wished to question that decision, these Referees were unable to appear here to defend their decision. Lord Hotham then proposed the following Resolution:—

> "That the Committee of Selection may refer any opposed Private Bill, or any Group of such Bills, to a Committee consisting of Four Members and a Referee;"

which was assented to by the House, and is the Resolution which I wish to call in question. It does seem strange that Lord Hotham did not observe that the very argument which he had used with such effect against the proposal of the Chairman of Ways and Means—namely, that a Referee could not appear in this House to justify a decision—applied also to his own proposal, though not quite in the same degree; and that is specially so if the Resolution was intended to confer voting power, and the House will understand that it is only to the voting power that I make objection. I can understand it to be a suitable enough arrangement that the Referees should attend the Committees as assessors or advisers to give the Committee the benefit of technical knowledge on those points of engineering and estimates which, as Referees, they were specially appointed to examine; but if the Resolution meant to go further than that it was wrong. Now, whatever the Resolution meant to do, the power of voting certainly has been assumed by the Referees, and I will now lay before the House the grounds on which I think it was unconstitutional. Every hon. Member is aware that the powers and privileges of this House were in old times far more the growth of custom and precedent than of statute, and therefore it is not possible for me to adduce any statute prescribing the legislative process of passing Bills through Parliament. Here, however, is an extract from Sir Erskine May's work—

> "The Imperial Parliament of the United Kingdom of Great Britain and Ireland, is composed of the King or Queen, and three Estates of the Realm—viz., the Lords Spiritual, the Lords Temporal, and the Commons. These several powers collectively make laws that are binding upon the subjects of the British Empire."

Here we have the legislative function clearly restricted to the Monarch and the three Estates of the Realm. They are to make the laws. Now, surely it cannot be contended that the making of a law consists merely in the final passing of it; but it consists of certain well-known stages through which every Act of Parliament, whether Public or Private, has to pass, and every one of which stages was, up to the passing of that Resolution, strictly limited to the Monarch and the Estates of the Realm. I presume an attempt will be made to show that a Private Bill is different from a Public Bill; but I do not think that, as regards legislative process, that distinction can be maintained, and for this among other reasons, that no one can draw a definite and distinct line between the two classes of Bills. We speak of Public Bills and of Private Bills, and of Hybrid Bills, but the difference cannot be strictly defined, for it may even happen that two Bills might be identical in their subject and in their provisions, and if one of them applies to London, to Edinburgh, or to Dublin, it would be a Public Bill; while, if its duplicate applied only to Manchester, to Glasgow, or to Belfast, it would be a Private Bill. Nor is there any material difference in the stages through which the two classes have to pass. Each must be introduced under the endorsement of two Members. Each must be read a first time, each must be read a second time, each must be gone through by Committee, clause by clause, each must be reported to the House, and each must be read a third time and passed; and I repeat that, till the passing of this unfortunate Resolution, every one of these stages in this House was strictly confined to Members of the House. The only difference that has existed has been the very slight one that the Public Bill is discussed clause by clause by the House in Committee, while the Private Bill is discussed clause by clause by a Committee of the House; but whether by the House in Committee or by a Committee of the House, the stage is one of the necessary stages in the making of a law, and is therefore part of the legislative function which cannot be exercised by any one other than those on whom the Constitution has imposed it. The only argument I have heard in justification is that the decision of the Committee and Referee is not final; that the Bill has to be reported to the House, and the House can reverse the decision, but the reply to that is that practically the decision is final, because the House hardly will consider the merits of such a Bill but simply confirms its Committee; but more than that, the very same argument applies to a Bill which is discussed by the House in Committee. That also only reports to the House, yet I hardly think any hon. Member would be found to maintain that it would be open to the House, if it chose, to bring in outsiders to walk through our Division Lobbies, and give votes on the clauses of a Bill on an equal footing with ourselves merely on the pretence that the stage was not final, and would still come under review of the House. It seems to me that if the House claims a right to confer a legislative vote on anyone outside the House by any other means than by Act of Parliament, it is assuming to itself a new prerogative, and one for which there is no precedent. Now, I find that in 1704 the House of Lords, at a Conference with the House of Commons, communicated the following Resolution:—

> "That neither House of Parliament hath any power, by any Vote, or Declaration, to create to themselves any new privilege that is not warranted by the known laws and customs of Parliament."—[*Parl. Hist.* vi. 387.]

That Resolution was assented to by the Commons, and was always acted upon. It is for those who defend the Resolution of 1868 to show that it is not a new privilege to confer legislative votes on men not elected by any constituency, not responsible to any one, and who cannot appear in the House to justify their vote. I do not ask the House to come to any hasty decision; I do not ask the House to accept my statement of the case; all I ask is that they should appoint a Select Committee of their own Members to investigate the matter. I earnestly hope that the Committee may be granted, for I see possibility of grave difficulty if it be refused. It may lead to the loss of public confidence in the decisions of such Committees. It might lead to the decision of such a Committee being disputed in the Court of Queen's Bench, and I think it would hardly consist with the dignity of this House that such an issue should be raised at all. It would be far better for the House to investigate the matter for itself, and even, if necessary, retrace a wrong step of its own free will than have its authority questioned elsewhere. The hon. Member concluded by moving the Resolution.

Mr. FORSYTH, in seconding the Motion, said, he believed that it raised an important constitutional question. He did not believe that it ever was the intention of Parliament to transfer its voting powers to the Referees. How did the matter work? The Chairman of a Select Committee had a casting vote, and when there were three other Members of the Committee, including the Referee, the Chairman and the Referee could arrive at and make effective a decision which was against the views of two hon. Members of the House, that decision being practically carried not by the vote of a Member of the House, but by the vote of a Referee. In the Judicial Committee of the Privy Council there were sometimes three assessors, who took full part in the discussion, suggested points, and heard arguments, but in the decision itself they had no voice at all. He thought it would be a mistake to have a portion of the legislation of Parliament decided by the votes of those who were not Members.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire and report on the position of the Referees of the House on Private Bills, and particularly as to the legality and expediency of allowing the Referees the same power of voting on a Private Bill Committee as a Member of Parliament regularly elected by a constituency,"—(*Mr. Anderson*,)

—instead thereof.

Mr. RODWELL trusted the House would not think him guilty of presumption in rising at that time; but he thought he should be almost guilty of disrespect to the House if, after his experience of Parliamentary Private Bill Committees, he did not give the House the benefit of his knowledge. It seemed to him that no solid and real ground had been laid why the system, which had worked well for a considerable number of years, should be destroyed. Some gross miscarriage of justice, or something worse, should have happened to induce the House to interfere with a state of things which had given satisfaction to the public and to those concerned with Private Bill legislation. The hon. Gentleman the Member for Glasgow (Mr. Anderson) had erred in two respects; he had in one respect exaggerated the importance of the functions of these Referees, while he had in some degree underrated their position. These Referees were officers of the House. But they were also something more. A series of Resolutions and Standing Orders had been passed which gave them a certain status, and their position might be said to have been determined in 1867 by an Act which positively clothed them with the same powers in dealing with Private Bills, under certain circumstances, as Committees of the House. Then the hon. Member had overrated the powers of the Referees in assuming that they or the Committees had the power of deciding the fate of Bills. It was useless to disguise the fact that, in a great many cases, the verdict of the Committee was accepted by the House; but, properly speaking, the Committee's function was to report, and if it appeared that they had omitted to take some important evidence, it was possible to have the Bill re-committed, and the whole subject re-discussed. Therefore, although the Referees had a voice in Committees, it could not be said that they could walk into the House and influence the final determination of Bills. He thought the hon. Member would have taken notice of the Referee as to the question of *locus standi.* The system which had been adopted, by avoiding hap-hazard or conflicting decisions, had saved an enormous amount of time, and an enormous amount of money; but if the Referee were to have no vote, it would materially change the usefulness of the tribunal. The whole course of proceeding had been reduced to a system, and had worked admirably;

but as he had said, if the Referees were not to have votes their usefulness would be very much diminished, for the House could hardly confer upon the Referees functions in one case which were to be denied in the other. The question had undergone discussion in 1864, 1865, and 1867, and his experience showed him that the Referees had been a very useful body. He did not know the merits of the particular case to which the hon. Member referred, but was that case, which was the only one of the kind the House had ever heard of, a sufficient ground for granting a Committee to inquire into the general practice on this question, a practice which had continued for so many years? He trusted the Committee would not be granted, as he did not think it would do any good. Another thing, it was not required, for no grievance had been made out.

SIR WILLIAM HARCOURT said, that probably his experience of these matters was more remote than that of the hon. and learned Member for Cambridgeshire (Mr. Rodwell), and therefore he might be excused if he could not join in the conclusion his hon. Friend had arrived at. The question raised by the hon. Member for Glasgow (Mr. Anderson) was a new one, and one of such importance that it was desirable it should be settled. If it were a question as to whether the Referees formed a good tribunal, or the element of one, he should be disposed to vote against them; but the point raised was not that—it was much more serious, and one which called for the attention of the House and Her Majesty's Government, and he therefore hoped they would state their opinion on the subject. The more highly the House valued their privileges, the more careful they should be to guard their integrity, and to inquire into the operation of any system by which they might possibly be impaired. The hon. Member for Glasgow had pointed out that the functions attributed to the Referees were a delegation of the functions belonging to that House, and which functions were being performed by gentlemen who were not Members of the House. Now that was a very serious matter, and they had to consider whether they could delegate such powers merely by Resolution. If it was a good thing to do, then let it be done in the proper way; and he was disposed to agree that it ought to be done by Act of Parliament, because he doubted very much whether that House had the power by Resolution to delegate to those who were not Members any portion of its functions. Supposing by Resolution the House had determined that one of the Judges of the land should sit upon Election Committees, and determine the seat of a Member of that House. He thought every man would agree with him that that would be an unconstitutional Resolution, and that they would have no power to pass it. No doubt the House had thought fit to make the Judges try the Election Petitions, but it was not done by Resolution. There was nothing about which they ought to be more careful than a matter of the kind. He had no doubt his hon. and learned Friend had truly stated the efficiency of the Referees; but however satisfactory the tribunal might be, however high the character of its members, it appeared that it was now formed by a species of Constitutional *lapsus*, which could not be too soon remedied. The Report of a Select Committee might, therefore, be useful in placing the whole matter on a sound and Constitutional basis.

MR. STAVELEY HILL completely agreed with the observations just made. This was a matter involving Constitutional principles, and he was quite sure that House had no power to delegate its functions to gentlemen who were not Members of the House, because, if they had the power, it might be used in such a way as to lead to serious consequences. The maxim *Delegatus non protest delegare* applied to all their legislative powers, nor was there any difference between Public and Private Bills. The Act of 1867 largely extended the powers of the Referees in respect of *locus standi* and other matters; but the Standing Order which put the Referee upon the Committee was not passed until the Session of 1868, and it might be desirable to have evidence as to the manner in which the tribunal thus constituted had actually worked. He was of opinion that the question had been very properly brought before the House, and the hon. Member for Glasgow (Mr. Anderson) deserved their thanks for the action he had taken.

MR. A. MILLS said, that the question was no less than this—whether the Business of the House should be continued to be discharged by Members of the House alone. It seemed to him a remarkable proceeding that gentlemen who were not Members should be authorized to vote upon Committees; and that merely by a Resolution. Had a Referee been appointed upon a Committee of which he was Chairman, he should have felt it his duty to report that matter to the House; and he now hoped that the House would not refuse to appoint a Committee to inquire into the subject. It would tend to impeach the authority of the Private Bill Committees of the House if it was known that matters involving millions of money were to be settled by two Members of Parliament and that another who was not a Member of Parliament should have a casting vote. He should certainly support the Motion.

Mr. RAIKES said, the Motion of the hon. Member for Glasgow (Mr. Anderson) was one which dealt with the question from two points of view; because the Committee he was so anxious to have appointed was to inquire into the legality as well as the expediency of allowing Referees the same power of voting in Private Bill Committees as Members of Parliament. He thought there was rather a tendency to confuse these two issues, which were quite separate in their character. He would endeavour to give a sketch of the history of the tribunal of Referees, and to show how the present system, which he admitted was an anomalous one, had come to exist. The first step was taken in 1864, when it was referred to a Select Committee to consider whether it was desirable to appoint Referees for particular purposes. The Motion was made by a Member of very great authority, the present Lord Winmarleigh (then Colonel Wilson-Patten), and the Committee reported that it was desirable that such a tribunal should be constituted, and should have cognizance not merely of matters of engineering and finance, but also of other matters having reference to four classes of Private Bills. The tribunal was really set up as a tribunal of experts, to relieve Members of the House of duties which in many cases they were scarcely adequate to perform. At the end of 1865 a further Committee was appointed, to consider how that tribunal had worked, and that Committee reported in favour of rather extending the powers of the Referees. In 1867 a rather considerable addition was made to the powers of the Referees, because power was given to the Committee of Selection to refer Bills to Referees instead of to a Committee of the House of Commons. This reference, however, was confined to Gas and Water Bills. In 1868 the then Chairman of Ways and Means brought forward a proposition that still further extended the powers of the Referees, by allowing them a jurisdiction over all Private Bills, and not merely Gas and Water Bills. The House hesitated to give them such an extended power, and an Amendment was moved by the noble Lord the Member for the East Riding of Yorkshire (Lord Hotham), the Chairman of the Committee upon Standing Orders, to get rid of the double inquiry which had existed by the amalgamation of the two tribunals which had up to that time exercised a divided authority. It was accordingly provided by the Standing Orders that a Bill might be referred to a Committee of four Members of the House, or to a Committee of four Members and a Referee. There must, however, be four Members of Parliament on a Committee where there was a Referee. Notwithstanding the change, however, it was not correct to say, as had been stated by the last speaker, that a question involving large sums of money could be decided by the vote of the Chairman of a Committee and a Referee alone. A Referee, of course, might make his influence felt, and with two other Members of the Committee might outvote the Chairman, and he was not altogether sure that it was desirable in cases in which interests so important were concerned, that the votes of two Members should overrule those of the other two Members simply because of the casting vote of the Chairman. Even in a case to which the hon. Member for Glasgow had referred, in which there were two Members on one side and two on the other, on a division the result might have been the same as that he had stated, without the intervention of the Referees. He would also remind the House that, owing to the fatalities which attended the last General Election, it had been deprived of the services of several Members who had had great experience as Chairmen of Committees on Private Bills, and that it was well that those who succeeded them, and who had not the same experience, should have the assistance and advice which such men as the Referees were able to afford. He was aware that the hon. Member for Glasgow did not propose altogether to expel the Referees from those Committees; but if the House were to decide that a system which had been tried for several years, and with which the greatest satisfaction had been expressed out-of-doors, should be now abolished, a great blow would, in his opinion, have been struck at the authority of those officers. To strike such a blow would, he thought, be most inexpedient. The Referees were not merely assessors upon these Private Bill Committees; but they also formed part of a Court of *locus standi*, which was composed of five Members of this House and three paid Referees. There was likewise the Committee upon Unopposed Bills, upon which Referees also served. They could not deal with one of these matters affecting Referees without dealing with all of them. While upon the question of legality he might observe that it was a serious matter that the House should, after the present system had been in operation for eight years, and after numerous cases had been decided under it, cast a doubt upon the authority of those Committees, and, as it were, retrospectively invalidate their decisions. Surely, if the question of legality were to be tested at all, it should be tested outside those walls, where an authoritative exposition of the law could be obtained. He thought that the hon. Member for Glasgow would, under the circumstances, do well to pause, if it were only out of consideration for the interests which would be affected, before raising this question of legality. For his own part, while sufficiently aware of the anomaly of the practice of Referees having votes, he was as jealous as any other Member of the privileges of the House, and he frankly confessed that if they were now constructing these tribunals, he would not propose to give the Referees votes. They were, however, now looking back over the practice of the House which had existed for many years. He had only to add that he would promise to give his attention to the subject, and that he should be happy to confer upon it with his right hon. Friend the Chairman of the Committee on Standing Orders, and others whose opinions were entitled to more weight than that of any individual Member on so great and important a point.

Sir EDWARD COLEBROOKE thought the working of the present system had been most beneficial, but admitted that, in regard to expediency, a fair question had been raised by the proposition of the hon. Member for Glasgow (Mr. Anderson). He should not for a moment deprecate the full investigation before a Committee of the question of the maintenance of Referees as a constituent part of the Committees upstairs. However, he trusted the House would pause before taking a step which would stamp with illegality an act considered to be one of the privileges of the House—namely, that of appointing servants of the House to assist them in their deliberations on private Bills. He should deprecate a hasty Resolution condemning the legality of a system which had been sanctioned by the leading Members of the House, and which had been in operation for eight years.

Mr. DILLWYN said, he was of opinion that, as the question had been raised, it must be settled, though whether it should be referred to the Committee proposed by his hon. Friend the Member for Glasgow (Mr. Anderson) was another matter. The question that had been raised was, not whether the system had worked well, but whether the House had not gone beyond its power in allowing Referees to do that which it had no right to allow them to—that of taking part in making Acts of Parliament affecting the property of Her Majesty's subjects. He thought that his hon. Friend had very properly brought the subject before the House, and that as it had been raised, it could not be allowed to go to sleep.

Mr. GATHORNE HARDY confessed he was much surprised to hear about a year ago that the Referees did vote, as it had never occurred to him to see a Referee vote. As the hon. Member for Swansea (Mr. Dillwyn) had remarked, it was absolutely necessary that, the question having once been raised, must be settled. The House, in so doing, would not be throwing any discredit on what had been done in past years, if it called in question the powers of the Referees. The point was, whether the

House was right in giving them those powers, and not whether the Referees had done wrong. There was no shadow of imputation upon the Referees, and, indeed, they deserved all the credit which had been given to them by his hon. Friend the Chairman of Ways and Means. He should have liked to see the Motion in a very different form, but that was hardly worth while dwelling upon. In his judgment it would be well if a very strong Committee were appointed to investigate this matter. It must be settled at once, for the power of the Referees might be questioned from without, and then the House would be placed in a worse position than it occupied at present.

SIR FRANCIS GOLDSMID said, he should have been unwilling to concur in the present Motion, if his doing so were considered to indicate the slightest dissatisfaction with the way in which the Referees had discharged their duties; but the legality or "constitutionality" of the arrangement having been now disputed, it ought to be decided.

MR. DODSON said, it appeared to him that after the speech of his hon. Friend the Chairman of Ways and Means, the House had better endeavour to modify the terms in which it was proposed to appoint this Committee. His hon. Friend had pointed out with great force that the functions of the Referees could not be separated. In his (Mr. Dodson's) opinion, the best course would be for the hon. Member for Glasgow to withdraw the present Motion, and substitute for it a new one, for an inquiry into the working of the system of Referees. He would suggest that the Amendment should be confined to the appointment of a Committee "to inquire into the position of those Officers of the House called Referees."

MR. ANDERSON said, he preferred his own Amendment, as that suggested did not raise the Constitutional point.

MR. BUTT said, he also preferred the Amendment of the hon. Member for Glasgow to that proposed by the right hon. Gentleman the Member for Chester. The Bill referred to by the hon. Member for Glasgow as having been read a second time in the House was altered in Committee, in which the Referees took part, and when it came back for the third reading, it was not the Bill the House agreed to on the second reading. It was necessary, on Constitutional grounds, that some alterations should take place.

Question, "That the words proposed to be left out stand part of the Question," put, and *ngatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Ordered, That a Select Committee be appointed to inquire and report on the position of the Referees of the House on Private Bills, and particularly as to the legality and expediency of allowing the Referees the same power of voting on a Private Bill Committee as a Member of Parliament regularly elected by a constituency.

PARLIAMENT—BUSINESS OF THE HOUSE—THE IRISH LAND BILL.

OBSERVATIONS.

Motion made, and Question proposed, "That this House will immediately resolve itself into the Committee of Supply."—(*Mr. W. H. Smith.*)

THE O'DONOGHUE said, he wished to call attention to the fact that the second reading of the Irish Land Bill, introduced by the hon. and learned Gentleman the Member for Limerick (Mr. Butt), had been fixed for Wednesday, the 29th of March. It was a measure which the people of Ireland considered as of paramount importance, and in which they took a deep and burning interest. The agricultural population of Ireland numbered considerably more than 3,000,000, and a general feeling of insecurity pervaded that population. What they required was a Parliamentary title to their homes, and they naturally looked forward with intense interest to the discussion of a measure which was introduced at their express desire to secure to them that Parliamentary title. It was clear that a Wednesday sitting would be wholly inadequate for the discussion of the measure.

MR. SPENCER WALPOLE rose to Order. Was the hon. Member regular, he inquired, in discussing, on the Question that the House resolve itself into Committee of Supply, whether an Order of the Day fixed for the 29th of March should not be debated on some other day? The House having fixed the day, that determination could not be altered, except by a direct Resolution of the House itself.

MR. SPEAKER said, that the hon. Member had not proceeded far enough to satisfy him that the object referred to by the right hon. Gentleman was that which he had in view. If it were, the hon. Member was clearly out of Order in questioning the decision of the House that a particular Bill should be put on the Orders of the Day for reading a second time on a given day.

THE O'DONOGHUE said, his object was to point out that a Wednesday sitting of five-and-a-half hours would be wholly insufficient for a satisfactory debate of the subject dealt with by the Bill, and to suggest to the hon. and learned Gentleman whether another day could not be secured.

MR. SPEAKER ruled that the hon. Gentleman was out of Order. If he desired the Order of the Day to which he referred to be discharged, it must be done by substantive Motion. It could not be done on a Motion for going into Committee of Supply.

THE O'DONOGHUE said, he would bow to the decision of the Chair, and would, before bringing the matter before the House in the form of a Motion, consult his Friends in respect to the terms of it.

Question put, and *agreed to*.

Resolved, That this House will immediately resolve itself into the Committee of Supply.

SUPPLY—CIVIL SERVICE ESTIMATES.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £43,489, House of Lords Offices.

(2.) £50,006, House of Commons Offices,

(3.) £58,010, Treasury.

(4.) £90,178, Home Office.

(5.) £63,196, Foreign Office.

(6.) £34,755, Colonial Office.

(7.) £145,958, Board of Trade.

(8.) Motion made, and Question proposed,

"That a sum, not exceeding £2,773, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of the Lord Privy Seal."

MR. MONK said, that the Vote had usually been objected to on the ground that the office of Lord Privy Seal was practically a sinecure, and useless. The only excuse offered for maintaining it was that it enabled the Government to confer the office upon some excellent and valued Member of the House of Lords who might be able to give attention to matters which the heads of other Departments were unable to do. He could not but think that the parties responsible should perform those duties, and not the Lord Privy Seal, who was not responsible. He would not move the rejection of the Vote himself, but he would vote with any hon. Member who would challenge it.

MR. JAMES supported the opposition to this expenditure, and expressed his regret that the right hon. Gentleman the Member for Greenwich, when in office, had not done away with this appointment. There was a strong feeling in the constituencies against sinecure offices.

SIR ANDREW LUSK said, he should like to ask whether it was true, as was said, that there were no duties connected with the office; because, if not, there was no occasion for the Lord Privy Seal to have a chief clerk and an establishment costing the country £750 a-year.

MAJOR O'GORMAN said, it was a monstrous thing that they should be called upon to vote the money without any information of the duties attached to the office. It would only have been respectful to the Committee if some explanation on the subject had been given them by a Member of the Government.

MR. DISRAELI said, that the subject had been so often before the House, and had been so completely and recently discussed, that he had not thought it necessary to rise before, more especially as the few Gentlemen who had addressed the Committee did not appear disposed to persist in their objection to the Vote. The office of Lord Privy Seal was one not only of great dignity and antiquity, but also of great utility, and, far from thinking that because the Lord Privy Seal had not a Department to organize and manage he ought not to be a Member of the Cabinet, it was because he had no Department to manage that his presence in the Cabinet was often of the greatest advantage. The office had been held by many experienced and eminent men. Lord Halifax—one of the most efficient public men of our generation—was Lord Privy Seal, and the present Lord Privy Seal had presided over the most laborious Department of the Government. It was, indeed, a great advantage to a Government to have such men as Lord Halifax and Lord Malmesbury available for general consultation and advice. There were many duties which the Lord Privy Seal was called upon to discharge, which it was impossible to indicate on an occasion like the present; but he had sometimes allotted to him some of great delicacy and importance, when it could not be expected that a Secretary of State or the President of a laborious Department could give the time required for such performance. The Lord Privy Seal was always ready to attend to such duties. The present Lord Privy Seal represented also an important Department—the Admiralty—in the House of Lords, and was there to give information when it was asked for. He remembered that Lord Malmesbury was intrusted in a former Government over which he (Mr. Disraeli) presided with negotiating a matter which the Members for Ireland ought not to consider insignificant. When it was necessary to hold communications with the Roman Catholic clergy and other Bodies in attempting to bring about an arrangement on the Education question, the person intrusted with the negotiation was the present Lord Privy Seal. He appealed to the Committee to support the Vote, which any one who had had experience of the Government of this country must feel to be necessary, and which the right hon. Gentleman opposite (Mr. Gladstone) two or three years ago had vindicated to the complete satisfaction of the House.

Mr. MITCHELL HENRY said, that last year the Prime Minister, upon the question of the publication of the debates, had attributed to him the wish to form a "Speech Preservation Society." He ought now to admit that if such a society existed it would save a great deal of public time, and serve a useful end, for during every Session since he had been in Parliament he had heard a debate on this particular subject. The vote he should now give he would admit would not be the same that he had first given, because the reasons advanced by the late and present Prime Ministers appeared to him to be overwhelming in favour of the Vote. If there were any proper record of these debates and the explanations given by the Minister, hon. Members would not be always called upon to repeat the same objections to this Vote.

Question put.

The Committee *divided*:—Ayes 145; Noes 50: Majority 95.

(9.) £33,500, Charity Commission.

Mr. GOLDSMID said, he had formerly complained of the want of celerity on the part of the Endowed Schools Commissioners in dealing with schemes for the management of endowed schools. Since then the House had transferred the endowed schools to the Charity Commissioners. The Chief Commissioner, Sir James Hill, a man of great ability, recently died, and in his place the Government had appointed a right hon. Gentleman against whom he desired to say nothing—Sir Seymour Fitzgerald—who had been incapacitated by illness from attending to the duties of the office. The result had been that if the former Commission was slow, the present Commission was slower, for the work which was before too much for three men had to be discharged by two. He believed several schools were awaiting the next step in the settlement of their schemes; and yet that no communication of any kind had been made to them for the last two or three months. He, therefore, desired some information as to the prospect of this deadlock being removed.

Mr. MONK desired to know, whether there was any qualification for the office of Chief Commissioner; and, if so, what it was?

Mr. W. H. SMITH said, it was unfortunately true that the late Chief Commissioner died suddenly in the month of September, and the new Chief Commissioner had been suffering from illness since his appointment. It was possible that the death of the former Commissioner, the necessary delay in filling up the office, and the illness of the present Chief Commissioner might have retarded the business of the Department; and, although no representation on the subject had reached the Treasury, he would undertake that inquiry should be made and measures taken, if possible, to facilitate the business forthwith. As to the qualifications for the office, he believed one of them was that the Chief Commissioner should be a barrister of 12 years' standing.

Mr. GOLDSMID appealed to the Vice President of the Education Department to say whether any arrangement could be made to expedite the work of the Commission. Had not great delay occurred in reference to some schools in the country? He was well aware that the duties of the Commissioners could not be interfered with by the Education Department. Still, as the House had no organ through whom to communicate with the Commissioners, they were obliged to appeal to the Treasury Bench for information.

Viscount SANDON said, he was glad to have the opportunity of saying a few words. He had no business to interfere officially with the Charity Commission; and, like his Predecessor in office, he had given the House a pledge not to do so. It was only due to the present Chief Commissioner it should be known that he had been suffering from a severe attack of typhoid fever, and in his anxiety concerning the duties of his office he allowed a Commissioner to come to his bedside to dispose of some official business. The result was, he was thrown back seriously and his recovery rendered doubtful, and the medical men prohibited any further communication with him on official matters. Of course, the business of the office had necessarily suffered, first, from the death of the late Chief Commissioner, then from delay in filling up the vacancy, and, lastly, from the lamentable illness of the present Chief Commissioner. The Lord President took all the official steps he could to forward business, and used the power conferred upon him to enable one of the other Commissioners to sign certain official documents. In that way he had removed all the difficulties he could, and he need hardly say the Department was anxious that the business of the Commission should proceed with all possible despatch.

Sir ANDREW LUSK, calling attention to the great cost of the Commission, asked whether a large portion of it could not be borne by the charitable funds, for the due management of which it was called into existence?

Mr. W. H. SMITH said, the question had been seriously considered by the Treasury whether it was expedient, and, if so, possible, to keep up the Charity Commission by taxing charities. But great difficulties stood in the way. A great portion of the work performed was of a voluntary nature, and if a tax were imposed on the receipt and administration of their funds, it was quite open to the great majority of charities to remove their funds from the inspection and control of the Commissioners. On the whole, great public good was done by the management of that body; the operation of the charities being brought under the light of day rather than withdrawn from the Charity Commission.

Vote *agreed to.*

(10.) Motion made, and Question proposed,

"That a sum, not exceeding £22,893, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission."

Mr. BAXTER rose to call attention to the increase of the Vote by the addition of £500 to the salary of the Chief Commissioner. The Second Commissioner received £1,200, and an additional Commissioner had been appointed. As no greater duties had been devolved on the Commission than were formerly performed, he wished to know why there had been an increase in the salaries of the Commissioners of £1,700?

Mr. W. H. SMITH said, that it had been found necessary to appoint Mr. Walrond, the former Secretary, a third Commissioner, and Lord Hampton had been appointed First Commissioner on the death of Sir Edward Ryan. It was true that the duties of the Commission were not of a wider character than those which they had discharged on the previous year, but still they had been growing in importance and magnitude for a long time past. They were in a very large degree independent of any public Department. The duties discharged by the Commission were most delicate and responsible, and it was therefore desirable that the Commission should be a strong one, having the confidence of Parliament. The Government, therefore, thought it advisable to appoint Lord Hampton to the position of First Commissioner, as he was a statesman of great experience in public and official life, and it was desirable to have some one in Parliament who would be able to account for the action of the Commission, in case it should be questioned. The increase of salaries had for a long time been promised, and he believed was very well deserved by the officers of the Department.

Mr. BAXTER said, he had not found fault with the appointment of Lord Hampton, but the Secretary of the Treasury had given the Committee no information as to the necessity for appointing an additional Commissioner and increasing the salary of the First Commissioner. If any one was inclined to question the Vote he should support him.

The CHANCELLOR of the EXCHEQUER said, the constitution of the Civil Service Commission, as now arranged, was similar to that of other public Boards, such as the Inland Revenue Board, where a Chairman and two Commissioners received the same rate of remuneration as in the present case. It was difficult to say that there had been any immediate increase of duties as compared with last year, but there could be no doubt that for a considerable time past the importance of the Civil Service Commission had been increasing; and under the Order in Council which had just received Her Majesty's approval it was probable that more duties would be thrown upon the Commission than it now discharged. Hitherto the Commission had been in a position both important and invidious, and when their conduct was challenged it was difficult to say who was responsible. The object of the Government in placing Lord Hampton, a Member of the other House, at the head of the Commission was that there might be some one who could authoritatively explain the policy and proceedings of the Commission. Like the Audit Office, they acted to a considerable degree as a check on the proceedings of other Departments, and must be in an independent position, not subject to the direction of any Department over whose proceedings they were intended to be a check. By putting the Commission on a more important footing, they were doing what they could to strengthen it in the eyes of the public, and enable it more efficiently to hold its own in the various important duties it had to discharge. He thought the work to be done by the Commission was fairly worth the money proposed as compared with that paid in other public Departments.

Mr. MONK asked, under what Act of Parliament the new Commissioner had been appointed; and why the Vote was introduced in a different manner from the other Votes, the Act under which the salaries were authorized not being quoted?

Mr. W. H. SMITH reminded the Committee that the Civil Service Commission was not constituted under an Act of Parliament, but by Order in Council.

Lord ROBERT MONTAGU did not think the reasons given by the Chancellor of the Exchequer sufficient to account for the increase of the Vote. It seemed that the work of the Commissioners would be more in future; but in that case they should wait, and not have their salaries increased before they had the work to do. He thought £2,160 was too much to pay for bringing the Civil Service Commission into symmetry with other public Departments.

Mr. MACDONALD said, he should move the reduction of the Vote by the sum of £1,700, for it was evidently time that the House should put a stop to the contemplated increase of all the Estimates. It was said that the work to be performed was of a delicate character. If it was considered that the person appointed to perform it was 76 years of age, it ought to be delicate work indeed.

Motion made, and Question proposed,

"That a sum, not exceeding £21,193, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission."—(*Mr. Macdonald.*)

Mr. MUNDELLA said, he would support the proposed reduction, though larger than he would have desired; but it did appear as though what had been done was something like the creation of a sinecure. Sir Edward Ryan was very advanced in years, and a great deal of work could not have been required of him. But on his demise two gentlemen had been appointed to do the work which he had done—Lord Hampton with a salary of £2,000 a-year, or £500 more than Sir Edward Ryan had, and a new Commissioner, with £1,200 a-year. With the prospect of bad trade and a declining revenue, there would probably be a Nemesis, and the right hon. Gentleman the Chancellor of the Exchequer might find it as much as he could do to make ends meet.

THE CHANCELLOR OF THE EXCHEQUER said, he felt bound to correct what was no doubt an unintentional misrepresentation of something which had fallen from him. What he stated was, that comparing this year with the last there was no special increase of work, but there had been a considerable increase of late years, and a still further increase might be expected in consequence of the new Order in Council. It should be remembered that Lord Hampton, though of advanced years, was a man of energy, was every day at his office, and took an active part in the discharge of his duties. He would have thought that anyone who had sat in the House of Commons with Lord Palmerston would not have laid down the rule that men advaneed in years were not able to work. Lord Hampton had by nature a great desire for work, and it had never before been suggested that he had ever flinched from it. As to the other Commissioner, Mr. Walrond, he had for many years ably filled the office of Secretary, and had well earned his promotion and the small increase of pay which accompanied it. Certain other arrangements had been made in the office which had led to the promotion of gentlemen who had been engaged in the Department, and whose salaries it would have been only reasonable to have raised even if these arrangements had not been made. The office of Secretary had been conferred upon Mr. Horace Mann, who had been acting as registrar, and he took some additional duties, and received a very small addition to his salary. Mr. Headlam, who had for many years been acting as chief examiner, was now promoted to the office of director of examinations, with an addition to his salary, which had been well earned by 20 years' valuable service. When it was said that there was no additional work, it must have been forgotten that the examination of officers in the Army had of late years been added to the duties of the Commissioners. He must repeat that as Questions were often asked in Parliament as to the conduct of the Commissioners, and the Government could only say that they were an independent body with whom Ministers could not interfere, it was an advantage that there should be some one—not necessarily in the House of Peers, though in that, too, there might be some advantage, inasmuch as he would be more dissociated from politics—who could give the necessary explanations and speak with authority.

MR. BAXTER said, the right hon. Gentleman the Chancellor of the Exchequer appeared to intimate that in consequence of the raising of the salaries, there had been a certain amount of saving in the office. But, on the contrary, though no additional clerks had been appointed, there was an absolute increase of £2,160 a-year in the office itself and £250 for writers.

MR. DILLWYN said, he agreed with the hon. Member for Sheffield (Mr. Mundella) that this was like the creation of a sinecure. For many years past the tendency of Parliament had been to keep down the Estimates, but now that we had got a new *régime* economy was at a discount. Not one valid argument had been adduced for giving the increase of salary to Lord Hampton.

MR. E. J. REED contended that the men who had been all their lives in a particular Department, and had served the country faithfully, were entitled to advancement when an opportunity arose. If the opposite rule were to be adopted, and persons from outside brought into an office to supplant those who had all along worked in it, great damage would be done, and the class of Civil servants must inevitably be deteriorated. Nobody could object to Mr. Walrond's promotion.

MR. ANDERSON said, the hon. Member for Pembroke (Mr. E. J. Reed) had not touched the point which would cause the Vote to be looked at with suspicion. A vacancy in the Commission occurred, and the Secretary was most properly appointed to fill it; but, beyond that, the objection was to the appointment of a new man, besides and above the other two, as an ornamental Commissioner, who received £500 more than was given to the working Commissioner who had been his predecessor.

The CHANCELLOR of the EXCHEQUER protested against the idea that Lord Hampton was in any sense an ornamental Commissioner. [*Laughter.*] He meant a merely ornamental Commissioner. Lord Hampton had taken to his work with all the zeal he had shown in other Departments; he was thoroughly mastering the work, and there was no question of a sinecure at all. The appointment was made simply with a view of strengthening the Commission, and placing it on the same footing as the great Revenue Departments. The importance of an office was a good deal measured by the salary of its Chief, and the re-organization of the office on this scale had done something to strengthen its position. It was true that, notwithstanding a reduction effected by Mr. Headlam's promotion—a junior examiner being appointed with £300, instead of £800, a-year—there was not a saving in the whole office, but an increase. But the position of the persons in this office had been for several years under consideration by the Treasury, and it was felt that as their duties were increasing they deserved some increase of pay.

Mr. WHITWELL agreed that a stimulus was necessary to keep an officer in good heart. The chief objection of the opponents of the appointment was that where a vacancy occurred advantage was not taken of it to advance all those who formed the staff of the service a step in promotion. Nothing could have been more annoying to these worthy, steady, hardworking men than to find a nobleman from the outside promoted over their heads.

Mr. SAMUELSON asked, whether there was any precedent for the appointment of an outside gentleman to a prominent position in the Civil Service at the age of 76?

Sir ANDREW LUSK said, it was pleaded by the Government that there was a great deal of new work to be accomplished in the office. If that were so, he should like to know what it was, and who was doing it, for he observed that the staff was, with the exception of Lord Hampton, exactly the same as last year.

Mr. GOLDSMID reminded the Committee that while this appointment had been made of a nobleman to the highest office in the Civil Service at the age of 76, it was a rule of the service that men in a lower grade should be superannuated at the age of 60. Was this fair? Moreover, it was true that the late Sir Edward Ryan performed his duties with great ability at the age of 85; but how was it that three Commissioners were now required to do the work previously done by two, including one Commissioner aged 85?

Mr. M'LAREN said, he wished to point out the proportions in the increase of the Vote in question. Last year the Vote was £20,000; this year it was £22,000—that was to say, there was an increase of 10 per cent. It was said there had been an increase in the work of the Department, but the same thing was said by every one of the Departments every year. Why, then, should there not be 10 per cent of an increase allowed to all the Departments? The expenses of all the Departments, deducting the National Debt and Crown Land offices, amounted to £45,000,000, and if an increase of 10 per cent were allowed to all the Departments there would be a total increase of £4,500,000.

Mr. JAMES suggested that henceforth the Civil Service Estimates should be introduced by a speech in the same way as were the Army and Navy Estimates.

Mr. BIGGAR said, that the right hon. Gentleman the Chancellor of the Exchequer had not answered the objections urged, and unless the matter was fully explained he should move to report Progress.

The CHANCELLOR of the EXCHEQUER said, he would be exceedingly sorry for it to be supposed that he was wanting in respect to any Member of the House. He had given the only answer he could give, and he had no doubt that to most hon. Gentlemen it was satisfactory; but it appeared that there were other hon. Members to whom his explanations were not satisfactory. If they were not satisfied he was sorry, but he could not help it. With regard to the question of the hon. Member for Banbury (Mr. Samuelson), he was not able at present to call to mind any precedent for the appointment of a gentleman of the age of Lord Hampton; but this he could say, that in appointing Lord Hampton the Government had appointed a man who was thoroughly competent for the work.

MR. SHAW LEFEVRE asked whether, if Lord Hampton should take a different view of any question affecting his Department from that taken by the Government, he would still be under the influence of the Government? [The CHANCELLOR of the EXCHEQUER: No.] Then was he to be independent of the Government? [The CHANCELLOR of the EXCHEQUER: Yes.] That was unfortunate, and quite contrary to usage. It was a doubtful precedent to appoint to an office of the kind a Peer of Parliament, who in the office he held should be perfectly independent of the Government which appointed him or of any succeeding Administration during his tenure of office. [The CHANCELLOR of the EXCHEQUER: The Ecclesiastical Commissioners are in the same position.] That was true enough; but the Ecclesiastical Commissioners were not paid by the Government, whereas Lord Hampton was. He thought it would have been far better had the Government, in selecting a successor to Sir Edward Ryan, appointed Mr. Walrond, a gentleman of great experience and ability, thoroughly acquainted with the Department, and who had gained the confidence of all connected with it.

MR. RAMSAY said, he objected to the Vote on the ground that no case had been made out for increasing the number of permanent officials in the Department.

Question put.

The Committee *divided:*—Ayes 62; Noes 87: Majority 25.

Original Question again proposed.

MR. MUNDELLA said, the facts were so plain and the defence was so lame, that he thought at least one more division should be taken on the matter. He had to express his regret that the name of Lord Hampton should be mixed up in such a transaction. The Government had set a bad precedent in appointing to an important office one of their supporters whose age, in all human probability, would soon render him incapable of discharging the duties for which he was to receive £2,000 a-year. He would move that the Vote be reduced by £500.

Motion made, and Question proposed,

"That a sum, not exceeding £22,393, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission."—(*Mr. Mundella.*)

MR. ANDERSON said, he could not see why, if Lord Hampton was not to do more work than his predecessor, he should receive a higher salary. He would therefore support the Amendment.

Question put.

The Committee *divided:*—Ayes 63; Noes 79: Majority 16.

MR. BUTT drew attention to the large sum derived from stamps paid by candidates for examination in the Civil Service.

MR. J. W. BARCLAY said, those fees were a heavy tax on competition.

MR. W. H. SMITH replied that the fees had been paid since the foundation of the Civil Service Commission, and there had been no change during the last few years. They were very varied, some being very small sums, while others amounted to £2 or £3. He would endeavour at some future time to give the hon. and learned Member such information on the subject as he desired.

MR. WHEELHOUSE complained that boys from the country were placed at a disadvantage by having to incur much larger expense than competitors from London or the neighbourhood in coming up for examination.

MR. MELDON asked why those fees were exacted?

MR. W. H. SMITH said, he found the system in existence when he came into office, and did not feel it to be his duty to deprive the Exchequer of any funds. As these young gentlemen were seeking to obtain a reward which they could not get in ordinary life, it seemed only fair that they should pay some small amount of the necessary charge for ascertaining their qualifications.

MR. J. W. BARCLAY inquired on what authority the Commissioners levied the tax?

MR. W. H. SMITH said, he had no doubt they had the authority of the Treasury, but was not able to answer offhand.

Mr. BUTT considered that these sums, however small, were opposed to the principle of open competition.

Original Question put, and *agreed to.*

(11.) £18,619, Copyhold, Inclosure, and Tithe Commission.

Sir ANDREW LUSK expressed a hope that the Commissioners would not in future legalize such inclosures as had caused so much difficulty in regard to Epping Forest.

Mr. W. H. SMITH said, he was not aware that the Commissioners had had anything to do with the inclosures of Epping Forest. Two of them were barristers who had given particular attention to the law as it affected land, and the third was well known in agricultural matters.

Vote *agreed to.*

(12.) £8,600, Inclosure and Drainage Acts, Imprest Expenses.

(13.) £46,065, Exchequer and Audit Department.

(14.) £4,496, Registry of Friendly Societies.

Mr. COWAN said, he noticed an increase of nearly £1,500 in the Vote. Was that due to the cost of carrying out the Friendly Societies Act of last year?

Mr. W. H. SMITH said, it was, and he was afraid it would be larger next year, as there might be some additional charge for actuarial service. The item would be a permanent one.

Vote *agreed to.*

(15.) Motion made, and Question proposed,

"That a sum, not exceeding £693,287, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."

Mr. MELDON, in rising to move a reduction of £1,000 on the portion of the Vote applicable to the medical department, said, his object in doing so was not to oppose the sum voted by Parliament for public vaccination expenses in England, about £10,000 a-year, but to point out the injustice done to Ireland in that matter. The only State grant of any kind made to Ireland for the purposes of vaccination amounted to £400 a-year, and the medical department of the Privy Council withheld from that country the assistance in regard to the supply of vaccine lymph which it ought in fairness to receive. Medical men in Ireland were now obliged to take lymph from children's arms, and as the people had a strong objection to this practice vaccination had become extremely unpopular. The difficulty arose from the defective supply of vaccine lymph. Up to 1871 Ireland was supplied to a great extent with vaccine lymph, through the Cow-pock Institution in that country; and a greater supply could be obtained, if thought desirable, from England. In 1871, from some unexplained cause, it seemed good to the Privy Council to change the system in Ireland. The Cow-pock Institution in Dublin could not supply the whole country, and the Government offered to supply vaccine lymph if the Institution would reduce its charges from 2*s.* 6*d.* to 6*d.* The Cow-pock Institution complained of the conduct of the Privy Council. He did not grudge any increased Vote for England, but he was compelled by the Forms of the House to adopt the course he did to obtain justice. He would conclude by moving the reduction of the Vote.

Motion made, and Question proposed,

"That a sum, not exceeding £692,287, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."—(*Mr. Meldon.*)

Mr. M'LAREN suggested whether it would not be advisable to postpone the consideration of the Vote until after Wednesday, when the Chancellor of the Exchequer had arranged to have a meeting with Scotch Members in reference to questions affecting Scotland similar to those which the Vote raised with respect to England. It would be better to hear what the right hon. Gentleman had to say on these subjects before passing the Vote.

Mr. SCLATER-BOOTH said, that with regard to the remarks of the hon. and learned Member for Kildare (Mr. Meldon) as to a breach of faith between the Privy Council and Ireland, he would have taken measures to inform himself on the subject if the hon. and learned Member had given him Notice of his intention to raise the question. He should be happy if the hon. and learned Member would confer with him on the matter. With respect to the suggestion of the hon. Member for Edinburgh (Mr. M'Laren), he did not see that any arrangements which the Chancellor of the Exchequer might make in relation to Scotland could possibly affect the arrangements under the Vote.

CAPTAIN NOLAN said, that what Irish Members desired to draw attention to was the fact that, proportionately keeping in view the different conditions of the two countries, more money was expended for vaccination in England than for the same purpose in Ireland. Ireland had of late suffered terribly from the want of vaccination; and, while he should be sorry to reduce the Vote for England, he thought that this was a proper opportunity for calling attention to what the state of matters in Ireland was.

SIR MICHAEL HICKS - BEACH said, that with reference to the grievance complained of in the case of Ireland, he had not had any opportunity of ascertaining what had previously been done in the matter, but suggested that if the hon. and learned Member for Kildare (Mr. Meldon) would call attention to it again, he should endeavour to inform himself more fully, and if it could be shown that there was anything in the present system which operated against compulsory vaccination in Ireland, he should be most cordially disposed to make the necessary change.

MR. M'LAREN said, he did not agree with the President of the Local Government Board that the question of the arrangements under the Vote did not affect the case of Scotland. Under the head of medical department in the Vote, there was an expense of £24,900 for vaccination, &c. in England; yet the allowance to Scotland was only £500. The grants in aid to Poor Law schools in England was £36,500, while Scotland did not get a shilling. In England, the medical officers and inspectors of nuisances got £60,000, while in Scotland not one penny was given. Now, all these Votes for England ought to be objected to if Scotland was not to be properly treated in regard to the same matters; but he did not wish to raise a discussion until after the interview with the Chancellor of the Exchequer. He therefore thought his request for a postponement of the Vote was a reasonable one.

DR. WARD said, he thought it was a matter well worthy the consideration of the Government whether free lymph should not be given to Ireland. In 1871 the system of giving free lymph was brought to a close; but there was the significant fact that following that there was the greatest outbreak of small-pox known in Ireland for 30 years.

MR. W. H. SMITH explained that none of the charges were new; and, while admitting that the remarks of the hon. and gallant Member for Galway (Captain Nolan) were deserving the attention of the Government, he hoped the opposition to the Vote would be withdrawn.

MR. MELDON said, he thought the Vote ought to be postponed. The people of Ireland had reason to be dissatisfied that while £10,000 a-year was voted for vaccination in England, only £400 was voted for Ireland. He should, therefore, feel it was his duty to take the opinion of the Committee, as that was the only practicable opportunity they would have of dealing with the matter.

LORD ROBERT MONTAGU explained the advantages that resulted from vaccinating children from arm to arm—that was, from taking the vaccine matter on the eighth day from the arm of a previously vaccinated child and introducing it into the arm of an unvaccinated child. Such a mode of vaccination was called the "living" vaccine matter, which was found to be far preferable to "dead" vaccine matter, often found to be acrid, and sometimes putrid, a state which was apt to produce serious consequences to the patient.

MR. WADDY said, he could not understand how knocking off the lymph for England would get it for Ireland.

THE CHANCELLOR OF THE EXCHEQUER did not see why the Vote should be postponed on account of the pleasure he was going to enjoy from an interview with the Scotch Members on Wednesday. What was proposed for England was what had always been done for England, and if there were circumstances which required a distinction in the case of

Scotland that was a separate question. If he understood them aright, the Scotch Members did not want less done for England, but more done for Scotland. How the case might turn out upon examination, however, he did not know, and would rather not discuss now.

Mr. J. W. BARCLAY remarked, that although the Scotch Members had brought the subject forward on former occasions, they had not pressed it, trusting to subsequent Votes to put the matter right. That course had not met the reward they expected, and therefore now they must insist on the question being taken seriously into consideration. He would move that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. James Barclay.*)

The CHANCELLOR of the EXCHEQUER thought it would be better to settle each case on its own merits. Scotchmen really had no cause to complain.

Captain NOLAN said, that six times as much was spent for vaccination per head of the population in England as in Ireland; and Irish Members only wished to bring Ireland in this respect up to the English level. They did not wish to reduce the English Vote, but the Forms of the House compelled them to bring the matter forward in this shape.

Mr. DILLWYN said, the object of the Scotch and Irish Members could hardly be attained by reducing the English Vote. He was always prepared to support the Irish Members in any way he could; but he could not on this question vote for a reduction of the English Vote, especially as it had not been shown to be too large.

Mr. SCLATER-BOOTH explained that the present Vote had been readily agreed to for years; the various items of it sprung out of Acts of Parliament which were still in force.

Dr. CAMERON said, he considered that there were two ways of treating the matter—by leaving local funds entirely to themselves all over the country, or by subsidizing local funds in every part of the Kingdom alike. Either they must do away with the unequal grant of contributions by taking advantage of the exigencies of the Government, or obtain a promise that equal justice should be done to Scotland and Ireland as to England.

Mr. SCLATER-BOOTH thought that the Vote ought to be agreed to on its merits, and the other matters discussed on a subsequent occasion.

Mr. M'LAREN said, he had not proposed the reduction of any Vote for England. He had merely mentioned the fact that England got £25,000 a-year for vaccination purposes, including the payment of medical men, and Scotland only £500, while Scotland paid between a sixth and a seventh of the whole national Revenue. Last year the Chancellor of the Exchequer had an interview with the Scotch Members on the subject. They had great pleasure in listening to him, and all went away in great good humour, having no doubt from the right hon. Gentleman's kind words that he would make all right. Now, however, on returning to the Estimates they found the old rigid figures. The English expenses under the item had increased from year to year, while the Scotch Grant for medical expenses was the same as it was 20 years ago.

Mr. RAMSAY said, he would be glad to hear the grounds on which the Grant was made for teachers in Poor Law schools in England, and what was the corresponding Grant in the case of Scotland. The Chancellor of the Exchequer had stated that favours to Scotland were included in the Estimates. He (Mr. Ramsay) was not aware of any item in which favour was obtained by Scotland. The Chancellor of the Exchequer had referred to the grant in aid of pauper lunatics. He was kind enough to make a concession to Scotland in consideration of the system under which lunatics were cared for in Scotland, which was altogether different from the English system. But the Scottish Members would never object to have the law relating to lunatics administered in the same way in England as it was in Scotland, and to let the Grant become what it might if the same system was adopted. But it must not be said, where the law was so entirely different, that a favour was granted to Scotland. He had to complain of the difference between the Grant for teachers for pauper schools in England and what was done in Scotland. [Mr. Sclater-Booth explained that there were no exclusively pauper schools in Scotland.] He would ask the Chancellor of the Exchequer to direct him to any Grant corresponding to the £36,500 proposed to be voted for the payment of teachers in Poor Law schools in England. Scotland had no such Grant. But the Scotch were taxpayers into the Imperial Treasury in the same way as the people of England. But although there were no schools in Scotland exclusively for teaching pauper children, there were a great number of the children of the poor educated at the expense of the parochial boards, and they asked that, the circumstances of Scotland being considered, they should get a Grant in proportion to the taxes they paid. They asked no favour—only justice; nothing more. That these Votes were the same from year to year was the matter of which they complained. So far they had got nothing more in consequence of their representations than courteous words. They wanted evidence of the sincerity of those words. No other course was open to them than to challenge the Votes put before them; because it was not competent by the Forms of the House for any hon. Member to propose an augmentation of a Grant.

MR. J. W. BARCLAY said, that after what had been elicited from the Government he should withdraw his Motion.

Motion, by leave, *withdrawn.*

Question again proposed,

"That a sum, not exceeding £692,287, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Local Government Board, including various Grants in aid of Local Taxation."

MR. WHITWELL asked, whether the £330,000 voted last year in aid of pauper lunatics in this country would be required, as the Committee had no information in reference to the expenditure of that Vote before them? He would also like to know, whether in future the sum of 4*s.* per week would be allowed for the maintenance of such lunatics in workhouses? He believed that there was an increase of lunacy in the country, and that the question of the proper management of lunatics would have to be discussed sooner or later by that House.

MR. SCLATER-BOOTH said, that the sum mentioned was within a fraction of that which had been required. So far as the Returns went, there was no growth of lunacy in this country out of proportion to the increase of the population. As to the 4*s.*, he hoped soon to see the day when full provision would be made for the lunatics in workhouses.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(16.) £15,026, Lunacy Commission.

(17.) £50,250, Mint, including Coinage.

SIR WILLIAM FRASER said, the abolition of the Mastership of the Mint was to be regretted: it gave a Minister means of rewarding great scientific merit: it had been held by Sir Isaac Newton and other very distinguished persons. He should be glad to know from the right hon. Gentleman the Chancellor of the Exchequer who was responsible for the coinage and designs at the Mint? Of late years a great deterioration had taken place in the designs; not very long ago a large coinage of sovereigns had to be recalled. As to the silver coinage it was most discreditable: some one might be found who could turn out coin worthy of the country.

MR. ANDERSON expressed his surprise at the moderation of the Vote, and inquired whether the idea of acquiring a new site for the Mint had been abandoned?

THE CHANCELLOR OF THE EXCHEQUER said, that though nominally he was responsible, yet, in fact, the working of the Mint was under the direction of the Deputy Master, who was most attentive to his duties, and most anxious in every way to produce work which would be profitable to the office which he held. He was quite sure that if at any time his friend Mr. Fremantle came to him with a proposal on this subject his suggestions would receive warm support. But Mr. Fremantle laboured under this difficulty, that the Mint was by no means in the condition in which it ought to be. The service was carried on there in constant fear and trembling lest there should be a breakdown of the machinery, and suitable machinery could not be substituted without causing a stoppage of the work. Under these circumstances both he and his predecessors in office had been anxious to procure a site for the erection of a new Mint, the cost of which in the long run would not be very expensive, as they would be able to recover a large proportion of it by the sale of the existing Mint. Some two years ago there was a proposal to purchase another place, but it failed; and at the present moment negotiations were in progress to purchase some premises in the neighbourhood of Waterloo Bridge. They had been going on for a good many months, and, he hoped, would be successful. If that were so, it would be their duty to bring the question before the House. As to the coiner and engraver, payment was made for the work done, and that was all he knew of the matter.

Mr. MUNTZ said, that it was a mistake to suppose that silver and copper coinage was carried on at considerable cost to the country. So far from that being the case, there was usually a profit of about £100,000 a-year. He hoped the Deputy Master would be enabled to present to the House a profit and loss account in connection with the matter.

Mr. ANDERSON thought the site of the present Mint was better than any other that could be procured; but having gone over the place, he felt bound to admit that the building was so badly arranged that it would be impossible to make the necessary improvements without stopping the works, and therefore the only alternative was to erect a new Mint on another site.

Sir GEORGE BOWYER put it to the right hon. Gentleman the Chancellor of the Exchequer, whether the removal of the Mint to such a close neighbourhood as surrounded Waterloo Bridge might not be attended with injurious consequences to the health of the inhabitants.

The CHANCELLOR of the EXCHEQUER said, he would admit that the residents in the neighbourhood of the proposed new site had objected to the erection of the Mint there, because the manufacture involved the production of injurious or disagreeable gases. But the Committee that two or three years ago sat on the transfer of the Mint, and before whom that point was strongly urged, pointed out that there was no necessity for such being the case. There were two processes employed in minting coin—one which evolved smoke and gases, and the other that did not; and the former process was, he believed, carried on in a neighbouring refinery that did not belong to the Government. An undertaking was offered before the Select Committee that if the Mint were brought into the neighbourhood of the Savoy, as he hoped it would, no melting should be carried on which would cause these gases to be evolved, and he would undertake that care should be exercised in these particulars.

Sir ANDREW LUSK said, the only fault he had, in common with the public, to find with the sovereign was that he got too few of them. The present Mint was in a very inconvenient place, and the building occupied a large space that might be better and more usefully turned to account, being better suited for docks, railway termini, or similar purposes. He did not see why the Mint should be kept at the East End if it was unhealthy, as was said, and the poor people be punished. It was better that it should be at the West End, where the inhabitants were better able to employ a doctor and take care of themselves than were the poor in the East. He hoped the Chancellor of the Exchequer would carry out the ideas shadowed forth, and give us a Mint worthy of the country, situated in a place more convenient and better adapted for its purposes than the present structure.

Mr. LOCKE objected, as he had done from the first, to the erection of a new Mint on the Thames Embankment. That Embankment was not intended for such a purpose, and if a Mint was erected there it would be as great a nuisance as gasworks and other buildings which were so strongly objected to, and some of which had been already removed. He should really like to know why the place for coining money should be removed from its present position. It had long occupied the site. There was ample space for all purposes, a large sum had been expended on the building, and the people and businesses of the neighbourhood were adapted to the circumstances. He trusted the Chancellor of the Exchequer would inform the Committee where the new Mint was to be placed, and hoped the Thames Embankment, which ought to be an elegant place, but unfortunately was not, would not be selected as the new site, for no one could think it would be improved by such a class of building. He could only account for the desire to remove the Mint from its present locality, from there being somebody behind who wished to acquire the site for building ground for their own advantage.

THE CHANCELLOR OF THE EXCHEQUER said, the best answer he could make to the hon. Member for Southwark was to say that whenever the Government were in a position to make a definite proposition to the House they would do so, and then the House would be able freely to discuss it. The site upon the Thames Embankment upon which it was proposed to build the new Mint belonged partly to the Duchy of Lancaster, partly to the Metropolitan Board of Works, and partly to the Marquess of Salisbury, and it was in the neighbourhood of the Savoy.

Vote *agreed to.*

(18.) £17,334, National Debt Office.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

COMMONS BILL—[BILL 51.]

(*Mr. Assheton Cross, Sir Henry Selwin-Ibbetson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Assheton Cross.*)

MR. SHAW LEFEVRE, in rising to move, as an Amendment—

> "That this House considers that the Bill does not provide sufficient facilities for the regulation and improvement of commons in their present open condition, and is of opinion that, after the recent decisions given in regard to Epping Forest and other cases, where inclosures have been illegally and arbitrarily made, no inclosures should be permitted except under the special sanction of Parliament,"

said, he had been under the impression in listening to the excellent speech of the Home Secretary in bringing in this Bill that it was substantially the same measure as that of 1871, which was referred to a Select Committee and received the sanction of that House, but which was rejected by the House of Lords. The right hon. Gentleman, however, disclaimed that comparison, and rightly so, because it differed on many important points from the Bill of 1871. In some respects he was bound to admit that it was an improvement on that measure, but in other and more important respects it was far behind it. The clause which remitted the matter to the consideration of the Inclosure Commissioners before they gave their assent to any inclosure was a good one, and had been framed with the obvious intention of limiting inclosures as far as possible. The right hon. Gentleman, in introducing the Bill, seemed to be far from anxious to extend inclosures, and evidently wished that lands which could not be inclosed to the advantage of the public should remain uninclosed. He would not, however, enter upon any invidious comparison between the two Bills; but, having given much attention to the matter, and having done something to hasten on the progress of public opinion on this subject by those rapid strides which the Home Secretary had referred to, he might claim a right to criticize the measure. Its defects were these—The Bill did not provide any remedy for the protection of the public against the violent and arbitrary inclosures of common land of which they had had so many illustrations in past years, and which at a great expense had been declared illegal. The clauses for the regulation and improvement of commons would be nugatory and useless, and sufficient security was not provided that the interest of the agricultural labourer when inclosure took place should be properly protected. Before discussing these defects, he desired to say a few words on the extent of our commons and manorial wastes, and the history of legislation affecting them. Their extent had been estimated, sometimes at 5,000,000 acres and at other times at 7,500,000 acres; but we were now informed by the Home Secretary that the Inclosure Commissioners had come to the conclusion that the waste lands did not exceed more than 2,500,000 acres, of which only 800,000 acres were improvable. Since then an apparently more careful estimate had been produced in the Return of landholders, which had been called the second *Domesday Book*, and, according to that, the aggregate amount of uninclosed places and waste lands was only

1,500,000 acres, of which 1,200,000 acres were in England, and 300,000 acres in Wales. The Return showed the distribution of this waste land in the respective counties, and it appeared that Cumberland, Westmoreland, Yorkshire, and Devonshire, and the other mountainous counties, contained 950,000 acres, leaving only 266,000 acres for the other counties; and when 60,000 acres were subtracted for the New Forest, which Parliament had decided should be left open, and 40,000 for the Surrey Commons, the westerly winds over which contributed so much to the salubrity and health of London, and which the Home Secretary had admitted ought not to be inclosed, it would be seen that the quantity of land available for inclosures was reduced to a small amount. The Returns from Bedford, Bucks, Oxford, Hants, and other counties showed that that was the case, and that, as he had said, there had been great exaggeration as to the amount of these waste lands, and they ought to take care that the Government did not give any unnecessarily due facilities for these inclosures for private purposes by private persons. He quite agreed with the Home Secretary's statement that any food that could possibly be produced by the inclosure of these lands would be but a mere trifle, and that they must depend under unaltered circumstances on supplies from other countries, while the wastes and commons should be looked upon as health reserves for the benefit of the community at large. The difficulty in dealing with the question of commons arose from the fact that the legal position of the public and of the agricultural labourers was not in harmony with practice and facts. According to the strict technical law, invented by the feudal lawyers—and superseding a much wider and more popular law, under which undoubtedly the commons were the common property of the village or community—the commons were the property of the lords of manors, and the tenants of their manors, and the public had no right to them, no matter how long or how much they had used them for recreation, no matter how necessary they might be for the health of the district. It was true that the law had recognized the right of inhabitants of a village to the village green acquired by user and by the custom of playing games and dancing; but the law seemed to have drawn no analogy between the village and its green and the populous town or district and its common, no matter how close that analogy might be. By a miserable technicality a custom must be limited to a limited class or to a limited custom, and it was said that a custom for all the world to recreate and play games on such a common as Blackheath or Hackney, which were, in fact, playgrounds, was bad because it was too general. Technically, also, commons might be inclosed with the consent of lords of manors and their commoners, but in practice this consent could not be obtained; and by the old Statute of Merton, passed in the interest of agriculture, a lord of the manor could inclose provided he left sufficiency of common to the commoners. This statute was practically obsolete and only applied to common of pasture. The lord could not avail himself of it, and as the onus of proving that a sufficiency of common was left for the other commoners lies with the lord, it was admitted that this could never be done. In all the great cases which had occupied the Law Courts of late years, although the Statute of Merton was always pleaded, it had never since been attempted to show that a sufficiency of common had been left. Now, this being the very unsatisfactory state of the technical law, practically the case was very different. The commons were kept open by the adverse interests of lords of manors and commoners, by the impossibility of getting consents, by the uncertainty as to what the rights were and who were entitled to them; and it was the experience of ages that commons could not be lawfully inclosed without the sanction of Parliament. If it were not so, why the many hundred private Inclosure Acts, why the General Inclosure Act, why this Bill? So long as the commons remained open the public enjoyed them. The public were what the hon. and learned Member for Oxford (Sir William Harcourt) had called "dispunishable trespassers." In respect, however, of the commons in populous districts, this difficulty had arisen. By the growth of populations enjoying the common without stint or without any power on the part of the lords and commoners to restrain them, the circumstances of the commons greatly altered, and it became impossible or unprofitable for the commoners to exercise their rights. They ceased to turn out their cattle upon them, they no longer burnt the turf. People took the place of cattle, they wore down the grass in lieu of browsing on it, the turf was more useful for games than for burning. The law, however, had not been pliant enough to recognize this practical transfer of user and custom, or to legitimize the public user which had thus ousted the private user. In ancient times, the commoners were, for the most part, copyholders, who were mere tenants of the will of the lord liable to be ousted at any moment, villeins and serfs who had no rights of any kind; but by degrees these customs of the copyholders ripened into right, and the lawyers of those days recognized that long-established custom gave sanction to right, and the conversion of villeins and tenants-at-will into customary copyholders with certain tenure, had always been looked back to by our law-writers and historians as an act of great justice and most advantageous to the country. But now-a-days the law failed to grasp the same principles, and to recognize the customary user of the people as one equally deserving of consideration. The Home Secretary very rightly dated back the change of opinion with regard to commons to the year 1865, when a very important Committee investigated the subject of the Commons round London. Though this Bill did not apply to metropolitan commons, yet the principles laid down by that Committee applied equally to all commons, or, at all events, those within reach of other populous places. It was contended before the Committee by the agents of the lords of manors that by the disuser of rights the commons practically belonged to them free of rights, and that they could inclose at will. The Committee, however, was of opinion after hearing much evidence, that the rights of common of the commoners, though disused, still subsisted at law sufficient to prevent inclosure, and that the commoners might be expected to put them in force to prevent inclosure. They rejected, therefore, a scheme for the purchase of the commons which would have involved paying £6,000,000 to £7,000,000 for that which the public had always used, and they recommended the scheme under which the commons might be placed under proper regulation and management for the prevention of nuisances and the maintenance of order, and under which the ratepayers' money could be applied for the improvement of the commons. The Committee further recommended the repeal of the Statute of Merton, on the ground that even in the agricultural districts, any attempt at inclosure of lands under the alleged authority of the statute would be entirely inconsistent with the more comprehensive legislation of the present day. The recommendation of the Committee with respect to the management of commons was afterwards adopted by Parliament and the Metropolitan Commons Act, under which some five or six commons had been placed under proper management. The Act was not without difficulties; but it would have been put into operation more frequently but for circumstances to which he should presently revert, and for the same reason the proposal to repeal the Statute of Merton was postponed. These circumstances were that immediately after the Report of the Committee there commenced a raid upon the commons near London of a most formidable character. Inclosures were made in all directions; 3,000 acres of Epping Forest were inclosed, and some 10 or 12 other commons were either inclosed or threatened. This led to a counter-demonstration. A society was formed for the purpose of resisting these inclosures, and to test the truth of the conclusions of the Committee of 1865, that inclosures were illegal and could be put down. Local committees were formed; public-spirited persons came forward; Mr. Augustus Smith sent 200 men to pull down the fences which had been erected by Earl Brownlow as lord of the manor. His hon. Friend the Member for Rochester (Mr. Goldsmid) undertook to resist the inclosure of Plumstead, which had been made by an Oxford College. In Epping Forest the battle was fought for three or four years by a brave old labouring man named Willingale, assisted by friends of the cause. In all, some 10 or 12 suits were commenced, which occupied the Court of Chancery for many years. Ancient records were searched, manorial law was furbished up, and it was found that the old law of the country was quite equal to the task of putting down these illegalities. With one exception—that of Hampstead, where a compromise was effected by the Metropolitan Board purchasing the common for a comparatively small sum—all the cases were successful, and fully established the fact that the inclosures were as illegal as they were arbitrary and without consideration for the public. In the case of Epping Forest, the investigations of old Willingale's suit showed that the Corporation of London, as the owner of a cemetery, had rights of common over the whole forest. The Corporation, full of zeal for the public interest, was induced to put those rights in force, and it brought these suits, which ended only last year in the most complete victory, and in the practical restoration of 3,000 acres to the forest, and therefore to the use of the people. Pending these cases, he need hardly say that all questions of altering the law, or of repealing the Statute of Merton, were naturally suspended. But he thought the time had now come for a proper consideration of the question. They had practically shown that these inclosures were illegal; it was only a question of money. He felt confident that any inclosure could be put down. The question, however, arose whether the State should not interfere to prevent these arbitrary inclosures, to give greater protection against them, to stop useless litigation, to avoid the necessity of these circuitous actions, and to forbid all further encroachments, except such as received the sanction of Parliament, through the proper course of the Inclosure Commission. But of this he was confident—that no Bill would be satisfactory or lasting as a settlement of the question which did not deal with this matter by securing the public from these arbitrary and illegal inclosures. The second question he had to deal with was that affecting the regulation and management of commons, especially those within reach of populous places. The present Bill was very skilfully, he might say artfully drawn. It put in the foreground the clauses for the regulation and improvement of commons, and kept in the background the inclosure, and the Home Secretary, with perfect candour, told them that he hoped there would be many more applications for the one than the other. He wished he could think so; but he thought the right hon. Gentleman was under a delusion on that point. He knew it had been suggested by the Inclosure Commissioners that power should be taken to regulate commons; but he believed it to be an entire mistake to suppose that a lord of the manor would ever apply for the regulation of his common. What lords of manors wished to do was to inclose, and not regulate; if they could not get consent to inclose, they would not go to the expense of regulation. He would be told, however, that under the Bill local authorities would have power to initiate proceedings for regulating commons; but they must first get the consent of two-thirds of the persons interested, and as no scheme could be finally concluded without the approval of the lord of the manor, practically it came to this—that the scheme of the local authorities must necessarily be subject to the veto of the lord of the manor. That was a very poor substitute for the extension of the Metropolitan Commons Act to commons in other populous places. The true course was to extend the Metropolitan Commons Act to other populous places. With respect to the position of the agricultural labourer who was tenant of a cottage on a common, though he had strictly no legal right to the common, since such rights were attached to land only, and not to persons, still as long as the common remained open he exercised a right in lieu of the owner of the cottage which he occupied, and consequently was entitled to consideration. All that the Bill provided to meet such cases was that it removed a limit contained in the Act of 1845 in regard to the amount of land that was to be appropriated as garden allotments or recreation grounds upon an inclosure taking place. The Committee of 1871 recommended as a minimum that one-tenth of the common inclosed should be set apart for such purposes. Many at the time objected, on the ground that that minimum was excessive; on the other hand, others thought it too small. Looking back at the miserable pittance allowed for gardens in the Act of 1845 to agricultural labourers, where inclosures had occurred, he came to the conclusion that grave injustice had been done. The Bill proposed in future to leave the matter to the discretion of the Inclosure Commissioners. He had the greatest respect for these gentlemen; they had done their duty honestly and according to the instructions of Parliament; but the instincts of Inclosure Commissioners must necessarily be in favour of inclosure. For his own part, he did not desire to leave such matters entirely to the discretion of the Commissioners, and thought that it would be easier to lay down at least a minimum in the Bill. In conclusion, he would point out what appeared to be three grave defects in the Bill—1. It provided no remedy whatever against arbitrary inclosures, such as we had so many examples of, and, which, although they had been declared illegal after expensive and lengthy process of law, were certain to break out again. 2. It provided no adequate means for the regulation and improvement of commons within reach of populous places. 3. It did not sufficiently secure the interest of the labouring class in case of inclosure. Unless these defects were cured, the Bill would not be that lasting settlement which the Home Secretary desired, and which was equally in the interest of lords of manors, of commoners, and of the public. The hon. Gentleman concluded by moving his Resolution.

Amendment proposed,

To leave out from the word "That" to ths end of the Question, in order to add the words "this House considers that the Bill does not provide sufficient facilities for the regulation and improvement of commons in their present open condition, and is of opinion that, after the recent decisions given in regard to Epping Forest and other cases, where inclosures have been illegally and arbitrarily made, no inclosures should be permitted except under the special sanction of Parliament,"—(*Mr. Shaw Lefevre,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. PEASE said, that as a Member of the Inclosure Committee of 1869 he had gone carefully through this Bill with the Report of that Committee, and so far as he could find out the Resolutions and Report of that Committee had been fairly and honestly brought forward in the Bill. So far as he could see the Bill was one which, after the Amendments it might undergo in Committee, would be a very great improvement on the present Inclosure Act—bearing in mind the principle that they were endeavouring to keep the commons open for public use, and to provide suitable recreation grounds and garden allotments for the agricultural poor. The hon. Gentleman had urged three objections against it. He alleged that it would not prevent inclosures; but he had, while admitting the efficacy of the means already available for that purpose, failed to specify the remedy he would substitute for it. The hon. Gentleman said proceedings in Chancery were attended with great expense, but where questions of land arose, it was impossible to deal with them without calling witnesses into Court; but when those proceedings had been taken, substantial justice had been obtained. The next point urged by the hon. Gentleman was that the regulations for the improvement of the commons would prove nugatory, as the consent of the lord of the manor would have to be obtained; but then, if the lord of the manor refused his consent, the common would remain as it was—still an open space. With respect to the privileges of agricultural labourers, his hon. Friend admitted that a great improvement in their position would be made by the Bill; for not only would they, so long as they tenanted their cottages, enjoy the garden allotments, but the Inclosure Commissioners would have power to pay the original expense of bringing the allotments into culture. His hon. Friend had talked of the rights of the agricultural labourers who might have occupied a cottage near a common for six months; but his hon. Friend would find it very difficult to give such a labourer the same rights as a freeholder. The conclusions from "Domesday Book" were anything but reliable, as he had found it very inaccurate in every instance in which he had had occasion to consult it, and he feared a great deal of money and of pains had been lavished upon it without producing any very good result. The Bill, so far as he could see, carried out the recommendations of the Committee, by whom great attention was given to the subject, was simple in its character, and was calculated to do a considerable amount of good.

MR. PELL observed, that the right hon. Gentleman opposite (Mr. Shaw Lefevre) had given the House a learned speech on the subject, which he had listened to with much interest. But he must take exception to what he said respecting public rights. If by that expression he meant the rights of the inhabitants of the vicinity of the common, he was ready to assent to his view. He thought, however, the expression might be interpreted to mean the rights of the public generally, though resident in places which might be very distant from the public locally interested. He (Mr. Pell) thought that the great feature of the Bill—the feature which ought to give the greatest satisfaction—was, that it made provision for keeping open within reasonable limits all the open spaces in the country. That was a result which could not fail to be productive of good. Another good point in the Bill was, that whilst it would thus reserve to the use of the people places of much natural beauty, where they could enjoy seasonable and healthful recreation, it would disabuse the minds of the people of the very great prejudice and misconception that they had indefinite rights and interests in the property of commons where they had no such rights whatsoever. As regarded the labourers, nothing the House could do for them would place them in the position they formerly enjoyed before they lost the advantages attending the ownership of common rights; but because the Bill did not do that for them, it was was no reason why it should not still be accepted. He hoped that the hon. Member for Reading would not press his Motion to a division, because his speech contained nothing that was really hostile to the Bill.

Mr. COWPER-TEMPLE said, that his objection to the Bill rested not on what it contained, but on what it omitted. The Bill was satisfactory so far as it embodied a great number of recommendations which had been made by three Committees; but he hoped that when the Home Secretary introduced this Bill he would have made a full settlement of the question by complete provisions for dealing satisfactorily with the subject. The omission which he thought the most grave, and which he wished to see remedied, was that relating to suburban commons. The Bill maintained the principle of the Act of 1845, and amended the procedure and ensured a fuller consideration of the interests of the Commoners, but it entirely ignored the principle of the Metropolitan Commons Act, which had preserved for the enjoyment of the public so many open spaces. The preservation of commons in the immediate vicinity of towns would devolve upon Town Councils and local Government Boards. Those bodies would be the only safeguards. They would have power to appear before the Inclosure Commissioners or Assistant Commissioners; but might often omit to undertake that difficult task in cases where inclosure ought to be resisted. Many of the provisions of the Bill were ineffective for their intended purposes, and there was no guarantee that a larger portion of land would be appropriated for allotments or gardens for the working classes than under the existing law. He would ask, if this Bill was to provide a complete system for inclosing land, why the Government should not prevent inclosure by any other means? The Statute of Merton, which was unfitted to present circumstances, but was often abused, ought to be repealed. If this Bill could provide for a full and fair adjudication on all right and claims other modes of inclosure ought to be prohibited. In his opinion, the Bill would not be perfect unless it contained some indication as to the manner in which inclosures were henceforth to be made.

Mr. SANDFORD feared that some portions of the speech of the hon. Member for Reading (Mr. Shaw Lefevre) would mislead the public; and for his own part, he approved of the decision of the Law Courts—that people should not simply by wandering over property gain a right to roam upon it habitually. The best legal opinion had arrived at the conclusion that the Statute of Merton was nothing more than a declaration of the common law, and, therefore, that would remain even were the statute repealed as suggested. The only practical objection which had been raised bore upon the difficulty, in point of expense, of resisting the encroachments of lords of the manor, and the hon. Gentleman had spoken of the advantage arising in the case of Epping Forest from the Corporation of London happening to have a *locus standi*; yet when he (Mr. Sandford) proposed, in the Committee of 1865, that power should be given to the Metropolitan Board of Works of purchasing manorial or commoners' rights in the neighbourhood of London, so as to give them a *locus standi*, that suggestion was resisted by the hon.

Member himself. [Mr. SHAW LEFEVRE dissented.] Let the hon. Member turn to the record of the proceedings—how his Motion was lost by only a small majority. In justice to the Members of the Committee who voted against him, however, he might say he believed they did not very well know what they were objecting to. He intended, in Committee on the Bill, to raise the question whether it would not be beneficial to give corporations of large towns power to purchase some commoners or manorial rights in their neighbourhood for the purpose of giving them a *locus standi* for the preservation of commons. As for the Amendment, it was hardly worth while, in his opinion, to divide the House upon it, for it did not assert any principle which might not be brought forward in Committee. He had the greatest confidence in the Home Secretary. During an experience of that House, extending over a quarter of a century, he had never known a right hon. Gentleman make himself so thoroughly master of the subjects with which he had to deal as the right hon. Gentleman, and he was sure the right hon. Gentleman would cordially agree to any practicable suggestion for further protecting the rights of commoners. The appointment of a Standing Committee was a most important matter. It appeared to him that the whole protection of the public depended upon that, and he hoped the Committee would be formed of the most independent Members. If the appointment of that Committee were entrusted to the Committee of Selection or left in the hands of the right hon. Gentleman himself, he should be perfectly content.

MR. FAWCETT said, a remark of the hon. Member for South Leicestershire (Mr. Pell) threw light on this difficult and complicated Bill. The hon. Member said there were notions abroad that people living in large towns away from commons had a right to wander over those commons, and those notions he described as monstrous. The hon. Member said the object of this Bill was to restrain that right. He could not have more happily described the contents of this Bill. He (Mr. Fawcett) contended that those commons, although nominally belonging to lords of manors and commoners, were a great and valuable possession to be enjoyed not by the people in the particular locality, but by the people of the entire country, who liked to wander to those commons to see beautiful scenery or seek for recreation, health, and fresh air. If it was not the intention, it certainly would be the result of this Bill, if it passed as it stood, to curtail the rights which the entire people now possessed in the comparatively few open spaces which remained to us. When the Home Secretary rose to reply he hoped he would reply to the interpretation which had been put on his measure by one of his own supporters. He (Mr. Fawcett) had no wish to cast the smallest suspicion on the intentions of the Home Secretary. He read carefully the speech of the Home Secretary on the Motion for leave to introduce this Bill, but he was glad he was not in the House when that speech was delivered; because, captivated by the admirable sentiments of the speech of the right hon. Gentleman, he might have committed the mistake of expressing approval of a Bill, simply from the speech by which it was introduced. Nothing could be more admirable than the speech of the right hon. Gentleman, who had, no doubt, intended that his speech should carry out the sentiments of his Bill. If the right hon. Gentleman could prove that the Bill would carry out what he said in his speech, he would find no more cordial supporter than he (Mr. Fawcett) would be. The central point of his speech was that he wished these open spaces to be preserved for the enjoyment of the public. He did not say anything about the monstrous idea of the public having any rights in commons. He (Mr. Fawcett) had read this Bill with the greatest care, and to aid him in the reading of it he called in a high legal authority. They had put the best interpretation on the Bill they could, and they had come to these conclusions —first, that the Bill provided no adequate security that the rights of the rural poor and of the public in rural districts would be adequately secured in the future; secondly, that the Bill provided no security that commons in the neighbourhood of populous towns would not be inclosed; thirdly, that as it stood the Bill rendered all those clauses which read so remarkably well with regard to the regulation of commons in the neighbourhood of towns inoperative; fourthly, the Bill continued to place confidence in a body of men—he spoke of them not personally but officially—in whom no confidence ought to be placed—namely, the Inclosure Commissioners, under whom, during the last 20 years, 400,000 acres had been inclosed, leaving only 2,000 acres for the poor, and 2,000 acres for public purposes. Yet everything was left to the mercy of the Inclosure Commissioners. If the Inclosure Commissioners had acted in the spirit of the speech of the Home Secretary the monstrous abuses that had been committed in the past would never have arisen, and there would be no necessity for this legislation. Looking at the conduct of the Commissioners in the past, it would be extremely rash not to tie them down more expressly by that Bill in the future. With reference to the rural poor, this Bill gave no security whatever that, in the case of any particular inclosure, an adequate amount of land would be reserved. It might be said that every one of the Provisional Orders would be submitted to Parliament, and that, if the reservation was inadequate, Parliament might reject the Provisional Orders. But they had experienced how difficult it was to overthrow a place of this kind, and they knew how ready both officials and ex-officials were to defend the policy of the Department. A recommendation was made that, in cases of inclosure, a minimum should be retained for necessary purposes. He wanted to know why that recommendation should be left out of the Bill. He believed that in the Committee which considered this question no one took a more active part than the present Secretary to the Treasury, who, indeed, if his memory did not greatly deceive him, constantly insisted on the importance of inserting in an Act of Parliament a minimum reservation of that kind. Again, every Member of the Committee would acknowledge that no conclusion was more forced upon them than that one of the most fruitful sources of injustice to the rural poor arose from the fact that whenever the Assistant Commissioner went down to a place to hold an inquiry he held it at 11 or 12 o'clock, or at an hour of the day when the poor were at work and could not possibly attend to state their objections. The inquiry usually lasted a very short time, and consisted of the hearing of an application for an inclosure, perhaps from a large landowner and the clergyman of the parish. Scarcely was there an instance brought under the Committee's notice in which the inquiry was held at such a time as gave the agricultural labourer a chance of attending. He thought all that would have been remedied by the present measure. The Bill said the inquiry should be held at a "suitable time." Suitable to whom? To the landowner, or to the Assistant Commissioner himself? It did not say it was to be suitable to the poor. When they knew that these inquiries had been, so far as concerned the rural poor, an idle mockery and a farce, surely the Assistant Commissioners ought to be tied down by much more stringent provisions than those of that Bill. But the measure was still more incomplete in regard to suburban commons. The Metropolitan Commons Act of 1865 had worked admirably for the advantage of the people of London; and no argument had been advanced to show why the people of Manchester, Leeds, Sheffield, and all our other great centres of population having commons in their neighbourhood should not have the same securities given to them in that matter as were enjoyed by the inhabitants of that metropolis. There was no great city in England which in proportion to its population was so well supplied as London with open spaces; and the loss of, perhaps, the only common near Manchester, Leeds, or Sheffield would be a greater injury to the inhabitants than the loss of a single common might be to the people of London. The Metropolitan Commons Act had worked so satisfactorily that any proposal to repeal it would not be entertained; and why should not privileges similar to those secured by it be conferred upon the populations of other large towns? If the proposed regulations of the Bill were likely to come into force, nothing would be better; but there was scarcely any chance that the clauses would prove operative, because a local authority could not obtain the confirmation of a scheme without the concurrence of two-thirds of those pecuniarily interested, and of the lord of the manor. Unless the Home Secretary was prepared to make radical changes in the Bill it would prove practically inoperative. Its clauses were vitiated, because it intrusted powers to Commissioners as if they had acted in the past on what the Home Secretary declared to be the principle of the Bill, whereas they had acted on exactly the opposite principle. In spite of all warnings and expressions of public opinion, they had done everything in their power to facilitate inclosure and to reserve a minimum quantity of land for recreation and for the poor; and it was this policy which it was the professed object of the Bill, and should be the desire of Parliament, to reverse. Indeed, the Bill did not repeal the Preamble of the Act of 1845, which laid down the principle on which the Commissioners were bound to act, and that was that it was desirable to facilitate the inclosure of land. But what the Home Secretary wished to do in future was not to facilitate, but to retard inclosure; and therefore his Bill ought to be based upon an entirely different principle from the unrepealed Preamble of the Act of 1845. If there had been a simple clause in the Bill that no inclosure should take place in future, except with the authority of Parliament, that would have produced a powerful effect. He knew now an instance of a common of which a few years ago not a single acre was inclosed; but every autumn lately when he had visited it there were 50 or 100 acres inclosed, and the commoners could not take any steps to resist it because a suit would cost from £1,500 to £2,000. This was not justice. It was a scandal which the House had power to prevent. Thousands of acres of land were being inclosed in this illegal and arbitrary manner. How had any illegal inclosure been prevented but by the public spirit of some influential person in the neighbourhood, who was willing to go to the expense of a law suit?—and the commons should no longer be left in such a state of insecurity. He should support the Resolution of the hon. Member for Reading, if it was carried to a division. But he hoped it would not be pressed, as he believed that the Home Secretary wished the Bill to be a good one, and that no doubt if it could be shown that the measure did not carry out his intentions the right hon. Gentleman would alter it.

MR. GOLDNEY said, he thought that the hon. Member (Mr. Fawcett) seemed to have argued in a circle. The Home Secretary, in this Bill, had recognized, to a greater extent than had ever been recognized before, the public rights, and the Bill contained great limitations upon the rights of owners, and also upon the Inclosure Commissioners. The objections that had been made against the Bill were groundless, and he believed that it would effect every object that could be desired.

MR. ASSHETON CROSS said, he had nothing to complain of with regard to the manner in which the Motion which stood in the name of his hon. Friend opposite (Mr. Shaw Lefevre) had been brought forward; but he must complain that the hon. Member for Hackney (Mr. Fawcett) had made statements inconsistent with the tenour and terms of the Bill. He did not think he was exceeding the bounds of Parliamentary language when he said that a more unjust and ungenerous description of the measure it would be absolutely impossible to give. He would mention two instances in order to show how unfair the hon. Member for Hackney had been. The hon. Member said no provision was made by the Bill to secure the attendance of persons who ought to be present, and that the Assistant Commissioner would soon be able to do as he pleased. No doubt, unintentionally, the hon. Gentleman had misread three lines of the Bill. The hon. Member said the Bill provided that the Assistant Commissioner appointed to hold the inquiry should inspect the common, and should convene a public meeting at a suitable time and place; but there the hon. Member stopped, not completing the clause, which stated that the object was to "secure the attendance of the neighbouring inhabitants and of all persons interested," and yet the hon. Member maintained that the Assistant Commissioner would still be able to do exactly as he liked. Again, the hon. Member for Hackney had made a most unfair attack on the Inclosure Commissioners, asserting that they had acted in an unjust and unfair spirit in the interests of the lords of the manor and against the interests of the poor. The hon. Member added that they would do precisely the same under this Bill, as the Government had left everything entirely to their discretion. He must remind the hon. Member for Hackney of a speech which he made in Parliament two or three years age on this subject. The hon. Gentleman stated at that time that he was not opposed to inclosures; but that what he wanted to have distinctly laid down was that each particular scheme should be submitted to a Committee of this House. What was the meaning of that speech? It was that the discretion should be taken away from the Inclosure Commissioners and the matter brought to this House for decision. But what did this Bill propose? The very scheme, the very framework of the Bill was to take away from the discretion of the Commissioners what to a very great extent was left to them before, and to bring every scheme, with all particulars connected with it, and all the objections to it, under the notice of Parliament. He repeated, therefore, that the hon. Gentleman's description was a total perversion of the terms of the Bill. One object of the Bill was not to have a hard-and-fast line drawn in any special case; but in every case to come for the decision of Parliament, taking care that Parliament should have full and ample information. The other object of the Bill was to prevent, as far as possible, the inclosure of commons and to give facilities for keeping them open for the benefit of the people, so that not only those having rights in these commons should enjoy those rights, but that the people enjoying the use, they had hitherto had of these commons, might have them improved, drained, and levelled for their enjoyment. The House would remember the old rhyme—

> "The law condemns the man and woman
> Who steal the goose from off the common;
> But does not punish what's far worse,
> To steal the common from the goose."

He had no intention of stealing a common from any goose, but to give every facility for the continued user by the poor labourer, the artizan, and the dweller in large towns of that beautiful scenery which they had hitherto enjoyed, but in an improved state.

Mr. WHITWELL asked that the Committee should be postponed to as long a period as possible, in order to give the country time to consider the provisions of the Bill.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* 2nd March.

Mr. Assheton Cross

CIVIL BILL COURTS (IRELAND) BILL.

LEAVE. FIRST READING.

The SOLICITOR GENERAL for IRELAND (Mr. Plunket), in moving for leave to bring in a Bill to extend the jurisdiction of the Courts for hearing Civil Bill causes in Ireland, and for other purposes; said, it was a very important Bill to the people of Ireland. At present a Common Law jurisdiction was enjoyed by the Civil Bill Courts except in cases of libel, slander, breach of promise of mariage, and criminal conversation, to the limit of £40, and he now proposed to extend that jurisdiction to £50. He also proposed to give an equitable jurisdiction to those Courts. As regarded Admiralty cases, he hoped to deal with them by another Bill which he would lay before the House in a few days. The Government did not propose to deal with administration of the law of bankruptcy at present. This Bill was founded upon the English Act of 1865; but whereas the English Bill was limited to cases of £500, including personalty and realty, this Bill would be limited to £500 personalty, and also include realty to the value of £30 a-year. With regard to the testamentary causes the Bill proposed that the Chairman of the county, in those cases in which he was satisfied on affidavit that the deceased person had his last place of abode within the county, and that his personal property did not exceed £500, or his real property the annual value of £30, should have original jurisdiction. The salaries of Chairmen of counties would not be increased in consideration of the extra duties thus imposed upon them, but would be charged upon the Consolidated Fund, and travelling expenses would be allowed. It was proposed that the Chairmen of counties hereafter appointed should not be permitted to practise at the Bar, and that in future equal pay and, as nearly as possible, equal work would be given to all of them. For it was intended that the second and third-class Chairmanships should be gradually abolished; and finally, by the re-arrangement of districts, their number should be reduced from 33 to 21. By a separate Bill the offices of Clerk of the Peace and Clerk of the Crown would be united.

MR. MELDON expressed a general approval of the Bill.

Motion *agreed to.*

Bill to extend the jurisdiction of the Courts for hearing Civil Bill Causes in Ireland; and for other purposes, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Sir MICHAEL HICKS-BEACH.

Bill *presented*, and read the first time. [Bill 82.]

MEDICAL PRACTITIONERS (IRELAND) BILL.

On Motion of Mr. GIBSON, Bill to enable legally qualified Medical Practitioners to hold certain public medical appointments, and to amend the Medical Act, *ordered* to be brought in by Mr. GIBSON, Dr. CAMERON, Mr. MULHOLLAND, and Dr. WARD.

Bill *presented*, and read the first time. [Bill 81.]

GRAND JURY LAWS (IRELAND) BILL.

On Motion of Mr. KAVANAGH, Bill to amend the Grand Jury Laws of Ireland, *ordered* to be brought in by Mr. KAVANAGH, Mr. GIBSON, Mr. ORMSBY GORE, and Mr. MULHOLLAND.

Bill *presented*, and read the first time. [Bill 80.]

House adjourned at half
after One o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, 21*st February*, 1876.

MINUTES.] — SELECT COMMITTEE — Private Bills and Opposed Private Bills, *appointed* and *nominated.*

CHAIN CABLES AND ANCHORS.

QUESTION.

THE DUKE OF SOMERSET rose to ask Her Majesty's Government a Question on the subject of Chain Cables and Anchors, and said that he had placed this Notice on the Paper because in reading in the newspapers the accounts of the voyage of the Prince of Wales, he had been struck—and he thought their Lordships must have been struck — by the remarkable fact that the *Serapis*, in which His Royal Highness was embarked, appeared to have been supplied with very bad ground tackle. Her anchors and chains had given way on more than one occasion. He understood that, in the Piræus, both cables broke, she lost two anchors, and she was carried against the *Osborne*, to the injury of both vessels. Again, when the *Serapis* arrived on the coast of India one of her anchors gave way, and she drifted at considerable risk. Now these circumstances in connection with this vessel appeared so singular that he had been induced to ask how it came about that her cables and anchors should be so bad. With regard to the way in which anchors were supplied to the Navy, their Lordships were aware that several kinds of anchors had been from time to time submitted to the Admiralty. Among them were Porter's, of which they had heard a great deal; Trotman's, of which much had been heard in the Lobby of the House of Commons; Rogers's, and Martin's which a great many naval officers preferred. He wanted to know how many firms now supplied anchors to the Admiralty? Formerly the Department contracted for anchors only with firms of well-known reputation: but it was said that, from motives of supposed economy, there was less precaution now in that respect, and that, as a consequence, some of the anchors supplied for Her Majesty's ships were of inferior quality. The turret ships were supplied with Martin's anchors; but it was said that, though the Captain of the *Serapis* had applied for Martin's, he was not supplied with them, but with anchors of an inferior description. He wished for information on that point; and also as to the test applied to anchors used in the Navy. With respect to chain cables, he should like some information of a similar character. Formerly, the whole of a cable was tested by the Admiralty by subjecting it to a very severe strain in excess of what it was likely to have to endure when being worked in a ship; but when he was at the Admiralty it was thought that such a system of test was not a good one, as it was calculated to injure the fibres of the material in the cables which stood it. On that account it was considered better to take out a few links here and there and subject them to a very severe test, even at the risk of breaking links of ordinary strength. There were objections to both systems; and probably the best security we could have in respect both of anchors and cables was to contract for them only with firms of established reputation. He wished to ask Her Majesty's Government, Under what system the Admiralty procure chain cables and anchors for Her Majesty's ships; and what is the mode of testing now adopted; also, whether the rumours of the failure of the chain cables in the voyage of the *Serapis* are true or false?

The Earl of MALMESBURY said, he was informed that when, in the harbour of the Piræus, the *Serapis* was about to take up the berth which had been assigned to her, owing to some mistake or other — probably to one arising from a mistake as to the language used — she overshot the mark. When this was perceived she was brought up suddenly, and the cable snapped. A link was taken out of it and sent to England, and it proved to be of good iron. Before the *Serapis* started her cables had been tested and were reported to be composed of the very best materials:—a link that was found to be bad was taken out at Portsmouth. The regulations for testing required that so many links in a length of chain cable should be subjected to a severe test. The anchors also were submitted to tests laid down in Regulations. In fact, every possible care was taken to ascertain that both anchors and cables were trustworthy; and he could not find that any accident similar to the one he had just referred to had occurred to the *Serapis* on any of her previous trips. As to Martin's anchors, they were only served out to the largest class of ships.

The Duke of SOMERSET wished to remark that Martin's anchors were used in the Navies of almost all other nations. They were adopted by France, by Germany, by Austria, by Italy, by America, and they were supplied to all our large iron-clads and turret-ships. Why should the other ships of the Navy have anchors inferior to those used generally by so many other nations and by our own iron-clads?

The Earl of LAUDERDALE said, that the character of the bottom on which the anchor was let go had very much to do with the matter. He believed there was no test of either chain cables or anchors in the Merchant Service, and such a state of things was very dangerous.

Lord ELPHINSTONE said, that, from information received here, it would appear that the breaking of the anchor of the *Serapis* was caused by the anchor being dropped on a rocky bottom. Ships like the *Serapis* were built by contract, and their anchors and cables were supplied by contract; but the Admiralty subjected both the latter to the tests referred to by his noble Friend who had answered the Question of the noble Duke.

METROPOLIS—TRAFFIC AT HYDE PARK CORNER.—QUESTION.

Viscount ENFIELD wished to put a Question to Her Majesty's Government upon a subject of interest to the convenience of those who lived in and those who visited London. He referred to some plan being adopted to relieve the pressure of the traffic at Hyde Park Corner, which for at least six months of the year was excessive. He believed that several Governments had from time to time considered the propriety of relieving this pressure by making a new road across the Green Park at some point between Park Lane and Apsley House, but it remained for the present officials at the Board of Works to propose, as they did last year, a feasible and popular plan. They set to work in a very business-like way; a model was prepared by direction of the Chief Commissioner of Works; it was exhibited in one of the Committee Rooms of the House of Commons last Session, the opinion and criticisms of both Houses were invited to the subject, and if he might judge from the tenour of the language held by his noble Friends the Chief Commissioner of Public Works in the House of Commons, and the noble Duke the Lord President in their Lordships' House, the Government had every reason to be satisfied with the reception given to their scheme. On the 7th of June last year Lord Henry Lennox, in reply to a Question from Lord Ernest Bruce, said—

> "From the tenour of the noble Lord's Question, I hope I may consider that he approves the scheme for relieving the traffic at Hyde Park Corner, which is pointed out in the model now exhibiting in the Conference-room; and I am happy to assure the noble Lord that the drawings are all ready, and that as soon as the scheme has been approved by the House of Commons the road will be commenced at once."—[3 *Hansard*, ccxxiv. 1461.]

On the 2nd of July, 1875, the noble Duke (the Duke of Richmond and Gordon), in reply to Lord Redesdale, said—

> "He believed that the model which had been placed in a Committee-room of the other House had been very generally approved. It was thought that the execution of the plan would afford the relief to the traffic which was no doubt required. As soon as the model had been finally approved and adopted it was the intention of the Government, before the end of the Session, to take a Vote for the purpose of making the road, which would be commenced in the autumn, and he hoped that at an early period next year it would be opened to the public."—[3 *Hansard*, ccxxv. 869.]

The Estimate was voted to the amount of £5,000 for this object on the 4th of August. After these declarations he was afraid some disappointment would be felt at nothing having been done, but he trusted their Lordships would hear to-night that this necessary metropolitan improvement, though unluckily postponed, had not been finally abandoned. He begged to ask Her Majesty's Government, Whether, in accordance with the statements made in both Houses of Parliament during the Session of 1875, the new road across the Green Park, to relieve the traffic at Hyde Park Corner, would be commenced and completed with the least possible delay?

THE DUKE OF RICHMOND AND GORDON, in reply to the Question of his noble Friend, had to say that his noble Friend was perfectly correct as to what occurred last year. Speaking from the information derived from the Department of Works, he believed, when he spoke last year, that the new road would be carried out, with the result of affording considerable relief to the traffic at Hyde Park Corner. But at the end of last Session the attention of his noble Relative the First Commissioner of Works was called to certain objections to, and defects in, the plan, which objections and defects had up to that time escaped notice. When, however, from a personal inspection, he satisfied himself that they did exist, he thought it better to defer for another year any actual steps in the way of opening a road rather than run the risk of carrying out a faulty plan. Since then several other plans had been under consideration, but up to this time no satisfactory solution of the difficulty had been come to on the subject.

THE EARL OF POWIS thought that, though the plan of last year might be open to objection, yet a satisfactory road might be made on the lines of the plan if certain modifications were adopted. He thought, for instance, that the scheme of a sub-way under Constitution Hill might be re-considered. A survey made by the Woods and Forests in 1857 showed that without any disturbance of the gradient a head-way of 9 feet or 10 feet might be obtained, which would be sufficient for most of the traffic, as it would suffice for broughams, cabs, and open carriages.

LORD HAMPTON observed that the noble Duke had not stated what were the objections to, and defects in, the plan of last year. He believed the sub-way was the true mode of meeting the difficulties of the case.

THE DUKE OF CAMBRIDGE said, the real difficulty was this—they could not run one flow of traffic across another without causing a block. Down from Hamilton Place and Park Lane there would be a flow of traffic which must cross the great traffic along Piccadilly. The traffic in that part of London—both the traffic coming down from the direction of Oxford Street and that along the line of Piccadilly itself—had enormously increased of late years. He knew that a sub-way was open to certain objections because of its interference with the course of sewers and gas mains, but he had a firm conviction that it was the only solution of the question.

PRIVATE BILLS.

Standing Orders Committee on, appointed: The Lords following, with the Chairman of Committees, were named of the Committee:

D. Somerset.
Ld. Chamberlain.
M. Winchester.
M. Lansdowne.
M. Bath.
M. Ailesbury.
E. Devon.
E. Airlie.
E. Carnarvon.
E. Cadogan.
E. Belmore.
E. Chichester.
E. Powis.
E. Verulam.
E. Morley.
E. Stradbroke.
E. Amherst.
E. Sydney.
V. Hawarden.
V. Hutchinson.
V. Hardinge.
V. Eversley.
V. Halifax.
V. Portman.
L. Camoys.
L. Saye and Sele.
L. Colville of Culross.
L. Ponsonby.
L. Digby.
L. Sheffield.
L. Colchester.
L. Silchester.
L. De Tabley.
L. Skelmersdale.
L. Belper.
L. Ebury.
L. Egerton.
L. Hartismere.
L. Hylton.
L. Penrhyn.

OPPOSED PRIVATE BILLS.

The Lords following; viz.,
M. Lansdowne.
L. Colville of Culross.
L. Ponsonby.
L. Skelmersdale.

were appointed, with the Chairman of Committees, a Committee to select and propose to the House the names of the five Lords to form a Select Committee for the consideration of each opposed Private Bill.

House adjourned at a quarter to Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 21*st February*, 1876.

MINUTES.]—New Writ Issued—*For* Horsham, *v.* Robert Henry Hurst, esquire, void Election.

New Members Sworn—Viscount Crichton, *for* Enniskillen; Peter Rylands, esquire, *for* Burnley.

Supply—*considered in Committee*—Suez Canal (£4,080,000).

Public Bills — *Ordered* — *First Reading* — Tenant Right at the Expiration of Leases* [84].

First Reading—Royal Titles* [83].

Second Reading—United Parishes (Scotland)* [62].

ROYAL COMMISSION ON SCIENTIFIC INSTRUCTION.—QUESTION.

Mr. LYON PLAYFAIR asked the Secretary of State for the Home Department, Whether the Government has considered the recommendations of the Commission for Scientific Instruction and for the Advancement of Science; and, whether they propose in the present Session to introduce measures for carrying out any of those recommendations?

Mr. ASSHETON CROSS, in reply, said, the recommendations of the Commission in question had been for some time under the consideration of the Government. With reference to what steps the Government proposed to take in the matter, he would rather not anticipate the statement which it would be the duty of his noble Friend the Vice President of the Council to make on the subject.

ROYAL COMMISSION ON RAILWAYS.

QUESTION.

Mr. ELLIOT asked the First Lord of the Treasury, If it is the intention of the Government to bring in a Bill, or take any other steps this Session, with a view to the prevention of accidents on Railways; and, if not, whether the Government will be prepared to support any well considered measure having for its object the regulation of the hours of labour of signalmen, engine drivers, pointsmen, and other responsible persons employed on Railways, so as to ensure the better safety of the travelling public?

Mr. DISRAELI: The Government, Sir, are awaiting with interest, I may say with anxiety, the Report of the Royal Commission on Railways. At present that Commission is pursuing its inquiries in Ireland. The inquiries of the Commission have been to some degree retarded by the loss of the noble Duke the Duke of Buckingham, the President of the Commission, who devoted his time entirely to this important subject; but I hope the Report will be presented to the House, though I fear not before Easter, in time to consider it with a view to legislation. Under these circumstances, Her Majesty's Government are not prepared to take any immediate steps in the way of legislation.

PUBLIC HEALTH—TYPHOID FEVER AT EAGLEY.—QUESTION.

Mr. CHARLEY asked the President of the Local Government Board, Whether his attention has been called to the recent fatal outbreak of typhoid fever at Eagley, near Bolton, in Lancashire, which is attributed by the Medical Officer of Health to the pollution of milk by water filled with sewage, used for washing the milk cans; and, whether, in view of the numerous and fatal outbreaks of a similar kind in Islington, Marylebone, Glasgow, Jarrow, and other places, which have been, after due investigation, attributed to a similar pollution of the milk supply, he will consider the expediency of introducing a measure for the protection of health by special sanitary supervision of dairy farms, and of the premises in which milk is stored prior to sale by urban milk vendors?

Mr. SCLATER-BOOTH: Immediately, Sir, after hearing of the lamentable outbreak of fever at Eagley, I directed that communications should be addressed to the sanitary authorities of that place and of Bolton, from whom I have received all the information at present available on the subject, and which is, I am sorry to say, of a deplorable character. Although there has been no inquiry of a definitive or exhaustive character, two somewhat contradictory facts seem to come out—first, that the milk, although poor in quality, was not adulterated; and, secondly, that the milk-cans were undoubtedly washed with water from a highly-polluted source. I do not at present see my way to introduce a measure for the supervision of dairy farms and other such premises; but I think it quite possible that regulations might be enforced by bye-laws or otherwise for their better regulation, and the subject will have my attention.

HARBOURS OF REFUGE—DUNGENESS.

QUESTION.

SIR EDWARD WATKIN asked the President of the Board of Trade, Whether, considering the constant loss of life and property inside the point of Dungeness, and the insecurity of that part of the coast of England, the Government propose to advise the construction of a safety harbour and of works of defence at or near Dungeness?

SIR CHARLES ADDERLEY: There is no intention, Sir, of advising the expenditure of public money in the construction of a harbour of refuge at Dungeness. An improvement in the lighting of the point was made at the beginning of the present winter by the addition of a second light at the extreme edge of the shore, as it was found that the beach was growing out. There is also a powerful fog signal at the point. As to any works of defence at Dungeness, it is not a matter in my Department. I can only say I have heard of no such proposal. As to the constant loss of life inside the point, a Question was put to me by the hon. Member last year assuming that in the six miles between Romney and Dungeness 20 vessels were stranded every year. This number, on a Return being made, appeared to be greatly exaggerated — being six instead of 20 wrecks, as stated.

SIR EDWARD WATKIN gave Notice that, in consequence of the right hon. Gentleman's answer, he would call attention to the subject on the Motion for going into Committee of Supply.

THE CIVIL SERVICE—HIGHER DIVISION OF CLERKS.—QUESTION.

MR. J. HOLMS asked Mr. Chancellor of the Exchequer, Whether it is the intention of the Government to act upon that portion of the Report of the Civil Service Inquiry Commission which relates to the establishment of a higher division of Civil Service Clerks; and, if so, when it is probable that the arrangement for giving effect to it will be made?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had stated on a former night that it was not the intention of the Government to issue any such general order as that referred to in the Question; but that they were prepared to deal with the Departments of the Civil Service separately with reference to the subject.

JURY LAW—LEGISLATION.

QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, Whether it is the intention of the Government to bring in a Bill to amend the Jury Law this Session, or if the subject is under the consideration of the Government?

MR. ASSHETON CROSS, in reply, said, his hon. and learned Friend the Attorney General stated a few days ago that it was the intention of the noble and learned Lord the Lord Chancellor to introduce a Bill this Session to amend the Jury Laws.

NEWFOUNDLAND FISHERIES.

QUESTION.

MR. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether there is any foundation for the statement which has appeared in the public journals, that the English fishermen on the coast of Newfoundland have destroyed "the engines" of the French fishermen; and, whether, in consequence, the Government of the island has asked for an additional naval force?

MR. J. LOWTHER, in reply, said, he was not aware to what particular incident the first part of the hon. Gentleman's Question referred; but in the early part of last year a case occurred in which a British fisherman was alleged to have destroyed a salmon weir placed in a river by a Frenchman; since which, however, no similar proceedings had, so far as he (Mr. J. Lowther) knew, occurred. With regard to the latter part of the Question, he might state that no application had been received for an increased naval force to be stationed in the waters in which there were disputed rights of fishing.

BANKS OF ISSUE—RE-APPOINTMENT OF COMMITTEE.—QUESTION.

Mr. ANDERSON asked Mr. Chancellor of the Exchequer, When he intends to move for the re-appointment of the Committee on Banks of Issue?

The CHANCELLOR of the EXCHEQUER, in reply, said, a Committee sat last Session on Banks of Issue, and took a great deal of evidence, but there was not time to consider the Report. They therefore reported the evidence to the House, and recommended that they should be re-appointed during the present Session for the purpose of drawing up a Report upon the evidence. He was not at present able to say what course the Government might take with regard to the question whether they should recommend a re-appointment or not. He hoped, in a short time, to be able to give an answer.

ARMY — KNIGHTSBRIDGE BARRACKS.

QUESTION.

Mr. R. YORKE asked the Secretary of State for War, Whether the Government Plans for the re-erection of Knightsbridge Barracks on their present site will be placed upon the Table of the House in sufficient time to admit of their careful consideration before the Estimates are brought on; if he could state to the House whether more land would be added to the site, and, if so, how much, on what side, and at what cost; and, to what extent, according to the Government Plan, will the Knightsbridge Road be widened?

Mr. GATHORNE HARDY, in reply, said, it was intended by the Government, if the House should assent, that Knightsbridge Barracks should be re-constructed on their present site. It was intended also, and negotiations were now going on for that purpose, to buy some land in the neighbourhood, but he did not intend to say exactly where, while the negotiations were going on. The Knightsbridge Road, according to the Government Plan, would be considerably widened, for it would be 60ft. wide including footways, which he hoped would be an improvement to the district.

PUBLIC PROSECUTORS—LEGISLATION.

QUESTION.

Mr. WHITWELL asked the Secretary of State for the Home Department, If he contemplates introducing into Parliament this Session a Public Prosecutors Bill?

Mr. ASSHETON CROSS, in reply, said, he was quite prepared to bring in a Bill on the subject, if a fitting opportunity offered—that was to say, if the other Business of the Session permitted.

ARMY—MOBILIZATION OF ARMY CORPS.—QUESTION.

General SHUTE asked the Secretary of State for War, Whether there is any intention of mobilizing any of the Army Corps during the present year?

Mr. GATHORNE HARDY: It is the intention, Sir, of the War Department to mobilize two of the Army Corps, unless some objection intervenes, of which at present we know nothing.

INLAND REVENUE DEPARTMENT.

QUESTION.

Mr. DUNBAR asked Mr. Chancellor of the Exchequer, If his attention has been drawn to the penultimate paragraph of the last Report of the Commissioners of Inland Revenue, wherein they state that the scheme of the Civil Service Inquiry Commission is applicable to their Department, and can be carried into effect "with a large saving, even after taking into consideration a very liberal scale of compensation to those retiring from office;" and, whether he proposes to authorize the Commissioners to proceed with the reconstruction of the Department under their control accordingly?

The CHANCELLOR of the EXCHEQUER, in reply, said, he was aware of the opinion expressed by the Inland Revenue Commissioners on the point in question, and the Government was at present in communication with the Board of Inland Revenue on the subject.

MERCANTILE MARINE—UNIFORMITY OF NAUTICAL TERMS.—QUESTION.

MR. ANDERSON (for Mr. GRIEVE) asked the Under Secretary of State for Foreign Affairs, Whether his attention has been directed to the confusion, and consequently enhanced risk of collision at sea, from many Continental Maritime States interpreting the English nautical terms "port" and "starboard" as severally indicating the opposite action of the rudder to those understood by our navigators, as directed by Act of Parliament; and, if he will endeavour to bring about the adoption of uniformity of practice?

MR. BOURKE, in reply, said, that the Question was one which ought to have been addressed to the President of the Board of Trade, from whom, however, he had ascertained that there had been a Committee sitting on that subject for some time, composed of representatives of the Trinity House, the Admiralty, and the Board of Trade. Papers on the subject would be laid on the Table in a few days.

ARMY—MILITIA SURGEONS—THE REGULATIONS.—QUESTION.

SIR EARDLEY WILMOT asked the Secretary of State for War, Whether the new Medical Regulations for the Reserve Forces, promised in 1874 and 1875, have yet been issued, and whether under them it is proposed to retain the services of the Militia Surgeons; and, if so, upon what terms; and, what compensation is to be granted to those Surgeons of Militia who, although in good health and able to discharge all duties required of them, have received notice to resign their commissions under Part 15, Clause 9, Militia Regulations, dated the 28th day of May 1872.

MR. GATHORNE HARDY, in reply, said, the Regulations had not yet been issued by the War Office, but would be very shortly. It was proposed to retain the services of the Militia surgeons under conditions which would be published. As to the last part of the Question, no surgeons of Militia in good health and able to discharge all duties required of them had received notice to resign their commissions under the circular referred to.

REGISTRATION OF BIRTHS AND DEATHS—MEDICAL CERTIFICATES.

QUESTION.

MR. WADDY asked the Secretary of State for the Home Department, Whether his attention has been drawn to the statement in Dr. Ballard's Report to the Local Government Board, bearing date August 1872, that the statistics of the cause of death are seriously vitiated by the registrars receiving information as to the cause of death from unqualified practitioners; that of 196 persons dying of epidemic diseases in the sub-district of Tunstall (Staffordshire Potteries), 86 had been attended by unqualified practitioners, who gave certificates of death, a considerable number of the deaths recorded from "fever" being really due, in the opinion of Dr. Ballard, to scarlet fever; whether his attention has also been drawn to the similar statement in Dr. Ballard's Report to the Local Government Board, dated September 1875, on the sanitary condition of the registration sub-district of Oldbury, that of 511 deaths from epidemic diseases in five years, 221 were certified, as to the cause of death, by unqualified practitioners; and, whether the regulations of the Home Office allow the practice on the part of registrars of entering causes of death from certificates of unqualified persons, and of registering deaths so certified, without the authority of the coroner of the district; if not (the rule being in Judicial and Government offices to recognise registered practitioners alone for legal and formal purposes as qualified practitioners), under whose authority do the registrars act, and to what extent is this practice pursued; and is the Home Office prepared to interfere and put a stop to a practice not only misleading but dangerous?

MR. SCLATER-BOOTH: I had occasion to consider the questions raised by the hon. and learned Member when engaged in preparing and passing through Parliament the Registration Act of 1874. It is true that in reporting on the sanitary condition of Tunstall in 1872 Dr. Ballard complained that the statistical results of the register were rendered unreliable, partly from the absence of certificatesand partly because the persons whose deaths were the subject-matter of his inquiry were attended by unqualified persons. His Report as to Oldbury in 1875 was also to the effect quoted; but it is not strictly accurate to make use of the word "certificate" in reference to these entries. There is no certificate of death recognized by the Registration Act except that of a registered medical practitioner. Causes of death where there is no such certificate are registered in accordance with instructions issued by the Registrar General, and there are many cases of death where there is no certificate, and in respect of which there would be no ground for application to the Coroner. The regulations are as follow:—

> "Unregistered Practitioners.—Any formal certificate or written statement of the cause of death furnished by an unregistered assistant of a registered practitioner, or by a qualified but unregistered practitioner, or by an irregular practitioner—*ex. gr.*, 'bone-setter,' 'herbalist,' &c.—and produced to the Registrar, must be regarded by him simply as part of the information tendered by the informant of the death, who must take the responsibility of adopting the statement of the cause of death so furnished. In such cases nothing beyond the cause of death must be entered in Column 6, no reference whatever being made to the fact that the information was obtained from any formal or written document, and the name of person signing such document must on no account be recorded in the register."

It must be observed that Parliament has only insisted on a "certificate" in cases where a registered medical practitioner has been in attendance, and that there is no law prohibiting the employment of unregistered practitioners.

PRINCE EDWARD ISLAND—THE LAND PURCHASE ACT, 1875.—QUESTION.

SIR GRAHAM MONTGOMERY asked the Under Secretary of State for the Colonies, When the Papers promised at the end of last Session in reference to the Prince Edward Island Land Question will be laid upon the Table of the House; whether he will include in these Papers a copy of "The Land Purchase Act, 1875;" the Report of the Commission; and the awards made to proprietors under that Act; and, whether he can give any information as to a reported decision of the Supreme Court of Judicature of the Island declaring some of these awards to be invalid?

MR. J. LOWTHER, in reply, said, that the Papers relating to the subject were ready, and would be distributed at once. They would include the Land Purchase Act, 1875, but no Report by the Commissioners had yet been received. With regard to a decision alleged to have been given by the Supreme Court of the Island as to the invalidity of some of the awards, no official information had been received, but information on the subject was being procured from the Governor General. He must remind his hon. Friend, as an explanation of the absence of official information on that question, that the matters referred to did not come directly under the supervision of the Secretary of State, owing to Prince Edward Island now forming a portion of the Dominion of Canada.

CONSTABULARY (IRELAND)—CASE OF JAMES BRANNIGAN.—QUESTION.

MR. BENJAMIN WHITWORTH asked the Chief Secretary for Ireland, If he can inform the House why subconstable James Brannigan was discharged from the Royal Irish Constabulary on the 17th of June last, no reason having been assigned for such dismissal?

SIR MICHAEL HICKS-BEACH: James Brannigan, Sir, was in the employment of the Post Office. He resigned his place before an inquiry instituted against him for neglect of duty had been concluded, and, proceeding to Dublin, entered the Constabulary. The Post Office authorities subsequently informed the Inspector General of Constabulary that Brannigan's resignation had not been accepted, but that he had been recorded as dismissed. As it is an invariable rule that no man dismissed from one public Department shall be admitted to another, his discharge from the Constabulary was absolutely necessary.

THE NATIONAL GALLERY—THE WYNN ELLIS BEQUEST.—QUESTION.

MR. HANKEY asked the Secretary to the Treasury, If the Legacy of Pictures bequeathed to the Nation by Mr. Wynn Ellis has been accepted by the Trustees of the National Gallery; and, if so, when the Pictures will be open for public inspection?

MR. W. H. SMITH, in reply, said, that the legacy bequeathed by Mr. Wynn Ellis had been accepted by the Trustees of the National Gallery, and the pictures would be exhibited to the public when the new rooms now in course of construction at the National Gallery were finished; but it would probably be some two or three months before the arrangement of the pictures, which the new building rendered necessary, would permit of their being shown.

PROTECTION OF LIFE AND PROPERTY (IRELAND) ACT, 1871—COUNTY OF MEATH.—QUESTION.

MR. PARNELL asked the Chief Secretary for Ireland, Whether he has had under his consideration the desirability of relieving from the provisions of the Protection of Life and Property in certain parts of Ireland Act, 1871, those portions of the County Meath now subject to its provisions?

SIR MICHAEL HICKS-BEACH, in reply, said, he had had that matter under his careful consideration, and he had not hitherto been able to advise the Lord Lieutenant to relieve the county of Meath from the operation of the Act in question. The hon. Gentleman, however, might rest assured that the Government were anxious, as soon as it could prudently be done, to give the relief to which he referred.

WEST AFRICA—ALLEGED TRANSFER OF TERRITORY—THE GAMBIA SETTLEMENT.—QUESTION.

MR. ALDERMAN W. M'ARTHUR asked the First Lord of the Treasury, Whether he is able to state to the House what course the Government propose to take with regard to the fulfilment of their pledge on the subject of the cession of Gambia?

MR. DISRAELI: In fulfilment of a pledge in reference to the Gambia, and in unison with the observations that were made in the other House by my noble Friend the Secretary of State for the Colonies, the Government have resolved to propose the appointment of a Select Committee on the question.

THE SUEZ CANAL—ENGLISH REPRESENTATIVES.—QUESTION.

LORD ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether the following words in his published speech on the purchase of the Khedive's shares—namely—

> "Arrangements are in progress which we hope will lead to . . . . the introduction into the administration of the Company of three representatives of England,"—

refer to an election of three out of the twenty-one members of Council, or of three out of the four members of the Committee of Management?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am unable to give a categorical answer to the Question of my noble Friend. There are, as he states, a Council of Administration and a Committee of Management in connection with the Suez Canal. It would be impossible for any arrangement to be made for the admission of three or any other number of members named by England into one or other of those bodies, unless by an alteration of the statutes moved at a general meeting with the approval of the Khedive. We hope to introduce three gentlemen into the administration of the Company. We have reason to believe that M. Lesseps has recommended an arrangement which has the approval of the present Council of Administration, and also the provisional approval of the Khedive; but what that arrangement precisely is, I am not at present in a position to state.

THE SUGAR CONVENTION, 1864—HOLLAND.—QUESTION.

In reply to Mr. RITCHIE,

MR. BOURKE said, that, although doubts had been expressed as to the Dutch Chambers ratifying the Sugar Convention, owing to the opposition of the Dutch sugar refiners, it appeared by the last reports from Her Majesty's Minister at the Hague that there were strong hopes of the difficulties in the way of the ratification being overcome. As the Convention had been accepted by the French and Belgian Assemblies, the responsibility of its failure, and of any course which the other Powers might in consequence adopt, would fall upon Holland.

SUPPLY.—£4,080,000 SUEZ CANAL SHARES.

RESOLUTION. ADJOURNED DEBATE.

SUPPLY—*considered* in Committee.

(In the Committee.)

Question again proposed,

> "That a sum, not exceeding £4,080,000, be granted to Her Majesty, to enable Her Majesty

to pay the Purchase Money of the Shares which belonged to the Khedive of Egypt in the Suez Canal, and the Expenses attendant thereon, which will come in course of payment during the year ending on the 31st day of March 1876."

Mr. LOWE, in resuming the adjourned debate, remarked that the first question to be settled was, oddly enough, the nature of the transaction they were about to discuss. The matter might be thought to be perfectly clear, but there was really an amount of doubt about it which it was desirable to dispel, and which he would endeavour to explain. On the first night of the Session the right hon. Gentleman the First Lord of the Treasury said—

> " We asked the house of Rothschild to purchase those shares on our engagement to ask the House of Commons to take them off their hands. It was a great risk."

Now, if that were really the question which the House had to consider there would be a very great probability that the House, having carefully considered the matter, would think that that was a transaction which it was not called upon necessarily to ratify at all; because the house of Rothschild having made the purchase only on the faith that the Government would recommend the House of Commons to take the purchase off their hands, no money would have passed, and it would have been open to the House of Commons to consider the whole question as if no pledge had been given. But that was not the case, he was sorry to say. The right hon. Gentleman was not quite accurate in his statement, though the real facts of the case were stated by the right hon. Gentleman the Chancellor of the Exchequer. Properly speaking, the question was not of our taking the shares off Messrs. Rothschild's hands, but of our having purchased the shares and borrowed money from Messrs. Rothschild to pay for them. That was a simple description of the transaction, and disposed of the statement of the First Lord of the Treasury on the first night of the Session, made no doubt from the erroneous view that no money had passed. So far from no money having passed, the fact was that £4,000,000 had been lent to the English Government on the faith that they would apply to Parliament for repayment, and that was an extremely different question from the question whether we were not bound to take upon ourselves the purchase made by other persons even under the recommendation of the Government. Nor was it therefore true that, as the right hon. Gentleman said, it was a great risk, because when money had been borrowed on behalf of the English Government—when they had had the money and actually spent it—the House of Commons would not be likely to say—"We have had the money and will not repay it." This point, as the Committee would see, was not an unimportant one. He had now, singularly enough, to charge the right hon. Gentleman the Chancellor of the Exchequer with inaccuracy—a circumstance so unlikely that it would require the strongest proof. In this case, however, he did not think there was any room for doubt. The right hon. Gentleman had moved for a Vote of £4,080,000, and that Vote was made up in this way —there was £3,976,582, the purchase money of the shares, and there was £99,414 for the commission of 2½ per cent to Messrs. Rothschild. Then there was about £4,000 for small expenses; and the Chancellor of the Exchequer laid these sums before the House as being the whole cost of the shares. So far, however, from that being the whole cost, the fact was that there had to be added a sum of £37,000; and for this reason, that the Messrs. Rothschild were not only to receive a commission of 2½ per cent on the amount of the purchase, but were also to charge interest at the rate of 5 per cent per annum on the £4,000,000 until the date of repayment. There was the difficulty. No doubt there was some misunderstanding here, for there were two accounts of what was to be done—one contained in the Treasury Minute, and the other in a letter written by Messrs. Rothschild themselves. In the Treasury Minute it was distinctly stated that the Messrs. Rothschild were to charge a commission of 2½ per cent on the £4,000,000 which they undertook to provide, and also that they were to receive the interest of 5 per cent from the Khedive upon the amount advanced from the date of the advance until the date of repayment of such advance by Her Majesty's Government. On the other hand, the Messrs. Rothschild, having been asked by the Secretary to the Treasury to state their terms in writing, gave a very different version of the affair. They write—

> "It is also understood that we are to charge Her Majesty's Government a commission of 2½ per cent upon the £4,000,000, and 5 per cent interest per annum until the date of repayment."

So that it appeared from the Treasury Minute that this was to be paid by the Khedive, whereas according to Messrs. Rothschild's Minute it was to be paid by the Government. Now, if it was worth while to write to Messrs. Rothschild to ask them to put their contract in form, one would have thought that it would have been worth while to ascertain who was right and who was wrong. That, however, did not appear to have been done, and so the matter remained in its present state. There was, however, no doubt about it. Of course Messrs. Rothschild's letter was what they would be bound by and not the Treasury Minute, and it was the duty of the Government to pay them this 5 per cent, and they ought not to look for it from the Khedive. Of course, if the Khedive did pay it, it would really be we who would pay it all the same, because it would be intercepting money that was to come to us from the Khedive. He maintained that it was the duty of the Government to have made this sum for interest, whatever it happened to be, part of the Vote. They would not have the thing clearly and fairly before them until that was done; and, as to intercepting the money before it reached the Treasury, he submitted that that was a most improper proceeding. The rule of the Treasury, as he understood it, was that all monies coming to the Government should be paid into the Exchequer, and that all monies paid by the Government should come out of the Exchequer, and it was never permitted that money should be received and paid away by the Government without going through that process. It never could be allowed that money should be intercepted in its course, and a debtor of the Government allowed to pay to a creditor of the Government. The whole proceeding appeared to him as irregular, and they had a right to insist that the sum, whatever it was, that had to be paid for the forbearance of this interest should be inserted in the Vote. Not to do so was really misleading the House as to the amount that the purchase had cost. The Khedive, as far as he could see, was not a gentleman likely to let money lie idle in the bank, and it was probable that as soon as the money was in the bank it would be out of it. As far as he could estimate it, that sum would amount to £37,000, which was a considerable item in addition to the £100,000 which they were to pay already for this service; and he put it to the House whether it would not be better to reform the Vote by including that amount and making provision for its payment. As he was upon this subject, he might say—and he did so with great regret—that the sums to be thus charged were of the most exorbitant character. They really almost surpassed belief. Let them remember that the house of Rothschild had done nothing for them but to lend them the money. It was a simple question of borrowing on certain terms. But on what terms did they borrow? There was an element of uncertainty in it which he could not very well master; therefore he would not put down any estimate of his own which might be liable to cavil and objection. It was quite clear that the sum the house of Rothschild would receive was about £137,000, and what they had done for that was to forbear what would be the equivalent of £1,000,000 for nine months. There was not the least risk in the world as to the money being paid, and to charge the British Government at the rate of something approaching 20 per cent on a pure borrowing transaction was a matter most necessary the Government should justify and explain in a manner more satisfactory than he had heard yet, for it was not merely that it was a heavy loss, but it put this country on a level with all those States which experienced a difficulty in borrowing money. It was a degradation to us. If anybody told them that England in the present day would borrow money at 15 or 20 per cent, would any man have believed it? It was all the worse because it was not put forward honestly and fairly as borrowing. It was put on the ground of commission, although it had nothing to do with commission. He also thought it would be an objectionable proceeding that any Government in a matter of this kind should deal by itself face to face with any private concern whatever. The Government had an agency to which it could always have recourse in matters of this nature for advice and assistance, and that he conceived to be the Governor and Deputy Governor of the Bank of England. He thought every Minister who was wise and prudent, and wished to save his name from any slur or reproach, would adopt that course. What had happened to himself? He had to pay to the Government of America £3,200,000, and the question was how to pay it. What he did was this—he sent for the Governor and Deputy Governor of the Bank of England and asked their advice, and they hit on a plan of paying the money by which, instead of charging the Government anything for paying that amount in gold on the day fixed, they actually saved £5,000 out of that amount. The question arose, no doubt, what was the proper course to be taken—whether, as the right hon. Gentleman seemed to say on the first night of the Session, we could, if we wished, refuse to pay this money? He (Mr. Lowe) maintained that there was no such possibility. We were bound to pay the money, and, grievous as he might think it was, there was no alternative whatever. There was, therefore, no risk in making the loan, because we could not avoid paying it, and that was founded on the plainest principles of public policy; because everyone must admit that occasions would arise when it might be most desirable that the Government should borrow money, and if we so dealt with the present transaction as that the person who lent the money should have the least excuse for saying he ran a risk that the borrower would not fulfil his pledge, the result would be that in difficult and dangerous times, when party spirit ran high, the Government would not be able to borrow the money at all, and in more tranquil times they would have to borrow it at a high rate of interest. The result, therefore, would be to take from the Government the possibility of borrowing money, and to give people an excuse which they were always ready to make—that there were risk and danger in the matter—and so exorbitant terms would be given and taken. Therefore, whatever might be their opinion of this transaction, they were bound as a matter of honour to fulfil their pledge, and on that point he should give his vote for Her Majesty's Government, only hoping that they would make the thing complete by adding an estimate for the rest of the money which we should certainly pay. He turned now from the form of the question to the substance of it. This subject might be regarded from three points of view. It might be considered as a great political demonstration, or as purely a financial affair, or merely as a question of acquiring an interest in the Canal. The first of these views, no doubt, made the Government very popular, and was caught up by the Press, especially in the metropolis, and by many newspapers throughout the country, because they believed that a spirited policy was at hand, which, however expensive it might be to the rest of the community, was sure to be profitable to the newspapers. They thought we were about to have stirring events, and a great deal of popularity was made for the Government in that way. The newspapers went upon the view that what we were doing in Egypt would ultimately lead to establishing a Protectorate, and to placing us in very stirring and exciting circumstances, which would be exceedingly agreeable to all the readers of the daily and weekly Press. That view being entertained by the writers of the daily and weekly Press, they must have undergone a great deal of disappointment when they found the idea repudiated by the Government, and of course they had all no choice but to accept that repudiation. But while they accepted it, he thought they must complain that the withdrawal of this element had left some of the conduct of the Government absolutely and entirely unintelligible. He alluded now to the mission of Mr. Cave. Could anyone tell them with what object the mission was undertaken, if it was not with a view of a political demonstration? The facts were very short. On the 4th of November Nuba Pasha wrote to General Stanton as follows:—

> "I have had the honour of speaking to you respecting the two persons whom His Highness would be desirous of engaging to fill, in the Finance Department, and under the direction and orders of the Minister of Finance, the two divisions of that Department—that is to say, the direction of the receipts and the direction of the expenditure. His Highness has also spoken to you on the same subject, as well as Sir Bartle Frere. It would be desirable that the persons to be engaged, or at least one of them, should be not only familiar with the internal organization of the divisions which would be intrusted to them, such as simplifying the system of keeping the registers, the drawing up of financial statements, &c., but that they should also be familiar

> with the principles of political economy, which, in modern times, have been the cause of revealing the true principles which govern the development of the resources and riches of a country. I beg you, on the part of His Highness, to have the goodness to apply to the Foreign Office to recommend to us two persons having the necessary requirements to fill these posts, and at the same time to indicate the conditions which should be offered for their services."

Now, under those circumstances, could anyone reasonably doubt what the answer of the Government ought to have been? Might they not have said that they would send out two young men well versed in such matters from one of the public offices, say, from the Inland Revenue, with the expression of a hope that their services would be found of use to the Khedive? That was what a reasonable Government would have done, and he had no doubt would have been done by Her Majesty's present Advisers had they not had some particular motive for taking a different course, and, as it seemed to him, some desire to make a great fuss and delay in the matter, for Lord Derby, in his reply, said that they had

> "Every desire to render to the Khedive any assistance which it may be in their power to give towards the reorganization of the Financial Department of his Administration; but the information afforded to them as to the actual condition of Egyptian finance, and as to the powers proposed to be given to the Gentlemen to be nominated by Her Majesty's Government was of so vague and general a character that it seemed to be impossible to suggest the names of gentlemen to be appointed or the conditions of their engagement."

That was to say, that the services of two Treasury clerks being required, "the information as to the powers to be given them" was regarded by the Government as "too vague," the fact being that no powers were to be given them, and that they were not to be asked to re-organize a public Department at all, but to work under a Finance Minister. Was there ever such trifling? What independent Sovereign had ever before received such an answer from a friendly State upon a matter in itself so small? But then the Government went on to say that, "after giving the matter the best consideration in their power, they had arrived at the conclusion that it was impossible to obtain by means of correspondence a satisfactory understanding on those two important points"—referring to the powers which were to be given to two young clerks—and that "they had determined that a gentleman possessing their full confidence, and of well-known financial capacity, should be sent out"—to do what?—"to confer with the Khedive and his Government as to the financial position of Egypt and its administration." The Khedive never asked them to do this; but it appeared that there was to be a report made on him by this person—he was, as it were, to be put in the dock—for the letter went on to say that "then Her Majesty's Government would be in a better position to give the assistance that was required of them," and they selected Mr. Cave to be their special envoy. It was like the old joke of making flint soup, which had never been better illustrated. But that was not all. The letter went on to say that four gentlemen were to be sent out to assist Mr. Cave in his diplomatic correspondence and in his financial inquiries, so that the result was that for these two men in buckram they had now Mr. Cave and his four assistants, with Colonel Stokes added. He (Mr. Lowe) ventured to say a more extraordinary thing had never taken place. The House was told that the purchase of the Suez Canal shares had nothing to do with politics—nothing to do with the Protectorate of Egypt, and under all those circumstances no man in his senses could, he thought, believe that the real grounds had been stated in that Paper for sending out Mr. Cave to ransack the whole finances of Egypt and to make a report on it to the Government. The whole thing was an enigma of which no solution had yet been furnished, and he hoped, therefore, some solution of it would be given before the end of the debate. He would give an illustration of the way in which the matter presented itself to his mind. Let him suppose that he had asked a friend if he knew a butler who would suit him, that the reply was—"I will think about it," and that the next morning, hearing a disturbance downstairs, he went to his kitchen, and found five gentlemen seated there, who described themselves as being the men to suit him, and that one sent by his friend asked him—"How many silver spoons have you got?" another—"How many table-cloths?" another—"Who is your butcher?" "Give us the key of your cellar," and so on—would such conduct be more preposterous than that which was done by the Government when they sent out an envoy and four able assistants, over several thousand miles of land and sea, to ransack the finances of Egypt and to turn them upside down, with no other excuse than that they were asked to recommend two clerks? If it had not been repudiated by Her Majesty's Government he should have said the solution of that enigma was that it was a part of the spirited policy which had been attributed to them. That not being so, however, the enigma remained so entirely an enigma that he hoped some hon. Gentleman on the other side would clear it up that evening. He would further observe that Mr. Cave had made a report, and that he should very much like to see that right hon. Gentleman before the money was voted which the House was asked to supply. Mr. Cave was to have been at home a month ago; but, unfortunately, his arrival here had been delayed by one cause or another, although his company would have been most agreeable that evening. The next circumstance in this transaction was even more strange. His excellent Friend Mr. Wilson, who held a very important office, which he administered to the satisfaction of Her Majesty's Government, was, at a very busy period of the year, to go out to Egypt to see if he could agree with the Khedive, and if not he was to come back again. Considering that all the Khedive asked for was two clerks, considering that Mr. Wilson had a most desirable and valuable office, the duties of which he was thoroughly competent to discharge, was it likely that he was going to Egypt to be placed under the Finance Minister, and unless he did that was not sending him out the merest trifling? Did any one believe that the Khedive would take an Englishman and put him over all his officials, and give him such a salary as would induce such a man to leave his valuable appointment in England, unless it were for an object more important than that professed by the Government? It looked to him like a lingering desire to prolong the glory acquired in that field already for the longest time possible. These remarks, however, he had merely made with the view to elicit some explanation from the Government, and he would now pass on to another part of the subject. Before doing so, he would read a few words from the speech of the right hon. Gentleman the Chancellor of the Exchequer on the previous Monday, and he was very glad he was able to read that speech edited by himself, because a good deal depended on the wording. The right hon. Gentleman said—and he would call the attention of the Committee to it—

> "But we thought we should be cowards if we were to shrink from the responsibility of fulfilling the trust which had been committed to our keeping. We did not come to a sudden decision—that is to say, we did not come to a decision the first moment this proposal was made to us—without a due knowledge of the circumstances of the case. We did not come to a resolution in the course of an hour or two. We had had this question of the Suez Canal for months and years under our notice, and we had had this special crisis under our notice for a period of more than 10 days. We had at our command information enabling us fully to understand what we were about, and we arrived at our decision deliberately."

Now, from the latter part of that statement he most emphatically dissented. So far from their having information to enable them to understand what they were about, and arrive at a decision deliberately, he maintained that nothing of the kind occurred. What occurred was this—The Government, with almost incredible negligence and carelessness, omitted to inform themselves of the circumstances which were most material to be known with regard to the purchase of these shares. Having so made the purchase, they were now—he hardly knew how to phrase it—putting the matter before them as if that which was the result of a great oversight and an almost incredible piece of negligence and carelessness was really their deliberate view and opinion. ["Oh, oh!"] That was what he asserted. Of course, his assertion was nothing; but he would prove it. Let it be clearly understood, again, what it was he asserted. He maintained that the Government committed a most enormous oversight in failing to ascertain what it was their duty to ascertain—that was, whether the shares carried votes with them; and that having done so, instead of confessing it at once, they were now putting before the country and before the House that which they had done under a sort of involuntary compulsion produced by ignorance as if it were their own free and deliberate act. What the Government meant to have done was, no doubt, to purchase a considerable amount of power in the Suez Canal, and when they purchased these shares they certainly thought they bought votes with them. [The CHANCELLOR of the EXCHEQUER: Oh, no; they did not.] He still maintained that that was the case, and would give this proof of it. He would show from the Correspondence that at, before, and after the time of the purchase the leading Members of the Government were of opinion that these shares did confer votes, and that their purchase did give us great and important influence. If he could show that by documentary evidence he should make out his case. In order to do so, he would have to call the attention of the House to certain details connected with the transaction. The purchase of the Suez Canal shares was made on the 25th of November; on the 26th the news was published; and on the 3rd of December there came from Egypt a despatch stating that the English Government could only obtain 10 votes. It appeared from the printed Papers that Lord Derby, writing to Lord Lyons on the 20th of November, said—

> "The Khedive, in parting with the shares which he now possessed in the Suez Canal Company, would, in my opinion, surrender an important means of influencing the measures taken by the Company and its staff, and as such we could not look upon such a transaction with indifference."

How could the Khedive, who had so much power over the Company in other ways, "surrender an important means of influencing the measures taken by the Company" unless his shares carried votes? This was only a surmise, but still it was forcible as far as it went, for the words had no meaning if the writer supposed the shares would carry no votes, or only 10 votes. Again, the Earl of Derby, writing to Lord Lyons on the 27th, two days afterwards, said, with reference to a conversation he had had with the Marquess d'Harcourt, the French Ambassador—

> "I added that we had even now a minority of the Canal shares; but that the question for Her Majesty's Government was not one of establishing an exclusive interest, but of preventing an exclusive interest from being established as against this country."

What did that mean? What was the sense of alluding to a minority of votes if the shares carried no votes, or only 10 votes? It was clear that the expression pointed to a belief in the mind of the writer that there was a power of voting connected with the shares, and that we should be better off with a large than with a small power of voting. These passages, he admitted, were by no means conclusive; but at a trial it was not the practice to prove everything at once. He next came to another point. The day after the shares were purchased the Government thought it necessary to apprise the public of what they had done, and leading articles appeared in the various newspapers. He did not mean to say, however, that the Government were answerable for everything that was written by the glowing pens of the journalists. This was what appeared in *The Times*, and what appeared in *The Times* was frequently of very great importance—

> "When the assent of Parliament shall have been given the British State will succeed to all Ismail Pasha's immense interest in the enterprize and become the chief proprietor, with an influence predominating over every other."

The meaning was as clear as words could make it. It was possible the Governmight have never intended to give *The Times* this view of the case, and, if so, what so natural as to say to the editor—"You are going rather too fast; we did not mean that we had got the votes—only that we had got the shares." So far from that, see how *The Times* came out next day. On the 27th it said—

> "We have purchased nearly half the shares in the Suez Canal. We are the largest proprietors, and it need not be said that the others will look to us for the management of the property, the protection of the common interest, and the maintenance of satisfactory relations with her local government and the other powers of the world."

["Hear, hear!" *from the Treasury Benches.*] Hon. Gentlemen opposite thought this did not mean that we had got a large power of voting, but that the other proprietors would look to us merely for the management of the property. Well, how could we manage the property if we had no votes? And now there came what he really thought was conclusive on the subject—he meant the letter of the Marquess d'Harcourt describing an interview between himself and the Earl of Derby, who at this time was minimizing and making as little of the matter as he could. On that occasion the Earl of Derby said—

"I deny on behalf of my Colleagues and myself any intention of predominating in the deliberations of the Company or of abusing our recent acquisition to force its decisions."

["Hear, hear!" *from the Treasury Benches.*] Hon. Gentlemen opposite did not seem to see the force of it. If Lord Derby had known how matters really stood he might have said—"Predominating influence! Why, we can do nothing whatever, because the legal opinion is that we have no votes; therefore, what nonsense it is for you to talk to me about predominating influence!" How could the Government possibly abuse their recent acquisition to force the decisions of the Company, unless they had some power in the deliberations of the Company, and could exercise a paramount voting power to force on the Company that which might be distasteful to them? He was not the least desirous to put any strained construction on these passages, and if they could be interpreted in any other sense no one would be more pleased than himself to accept such interpretation. Then there was another matter which was not conclusive, but which was important in itself. He had already alluded to Mr. Cave's Mission. Well, Colonel Stokes was appointed on the staff, and on the 6th December these remarkable words were written to him by the Earl of Derby—

"Her Majesty's Government also desire that you should confer with Her Majesty's Agent and Consul General in Egypt on the subject of the recent purchase, on behalf of Great Britain, of the shares in the Suez Canal heretofore held by His Highness the Khedive, and furnish a Report on the position which Her Majesty's Government will occupy as possessors of those shares, and on any measures which it may be desirable to take to secure the full benefit of the purchase."

This was written three days after the announcement in *The Times* that the shares only gave 10 votes. This accounts for the remarkable change of tone between the 27th of November and the 6th of December. If Government knew the position which they would occupy, what was the use of sending Colonel Stokes to inquire into it? He had given his reasons for believing that probably no votes at all were attached to the shares, and certainly no more than 10. These were his charges against the Government, and if they could be answered nobody would be better pleased than he would be. They would get their Vote to-night, the thing was done, and he would be very glad if the exceptions which he had taken could be removed. He could assure the right hon. Gentleman that nothing would give him greater pleasure than to find that he had been mistaken. Still he said that unless they could explain these passages the Government must be considered to have aided in the purchase, under the delusion that, in purchasing these shares they were purchasing votes, and that they ought to have come candidly forward and admitted the oversight which they had made. The Government had a great many motives, they had been told, for buying these shares. One was, that they might keep the canal open and prevent a monopoly—a most excellent reason. But how would the buying of shares without votes assist them in preventing the canal from becoming a monopoly? They could not, by buying these shares, do anything towards the management of the canal. These shares for 19 years were a mere deadweight. They might pay the £4,000,000, but during that period it was as if these shares did not exist. Even supposing that they gave 10 votes, what advantage would they give? They would confer no influence on the Company, which seldom met, and whose main business consisted in the appointment of the directors. Lord Derby said the other day that, if anybody doubted that the possession of two-fifths of the shares in this canal gave no influence to the holders, it was as difficult to argue with such a man as it would be to argue with a man who said that two and two did not make four. Now the ordinary meaning of shares was that they carried with them the right to dividends and votes. Lord Derby's illustration assumed that the possessor of the shares here had exactly what he had not. It should read—"If anybody doubts that the possessor of two-fifths of these shares, *minus* dividends and votes, obtains no influence from those shares, it is as difficult to argue with him," and so on. But then, it was said, the power of making faggot votes was a formidable weapon in our hands. Now, in the first place, he was not at all sure that we should be able to make faggot votes, because he rather believed that these shares gave no votes, faggot or otherwise. But suppose such votes could be made, what would be the result? What we should do would be to array the majority against us and prevent them from giving us three directors at the Board, as they were now disposed to do. M. de Lesseps was now well disposed towards us. It was his wish to give us three directors, if he were not irritated; but it must be remembered that these questions would be tried before a French Court, and an attempt to swamp French shareholders by English faggot votes would not meet with a very favourable reception. But the Papers would show how little these votes were worth to secure us the benefits of a representation in the directorate. At page 142 there was a letter from Sir Daniel Lange to Lord Granville, dated April 19, 1871, in which he said he had mentioned to M. de Lesseps the alternative of no dividend for the shareholders or British assistance and entire management, M. de Lesseps retaining his position as President, but without the periodical anxiety he was now under as to finance. But, said Sir Daniel Lange, M. de Lesseps "recoiled with aversion" from this proposal, and declared that he would never be a party to the transfer of the management from French to English hands, trusting rather to the introduction of a few English directors upon the French Board, so as to share the responsibility. Thus M. de Lesseps had long been anxious to give seats to English directors upon the Board, not, however, with a view to give power to England, but to keep the power. Yet what he had been willing to do for five years was put forward as one of the principal triumphs of the Government in the purchase of these shares. Thanking the House for the attention with which it had listened to him, he hoped that somebody would be able to explain away what appeared to be the fact—that the absence of votes was unknown to the Government when the shares were bought. If such an explanation were given he should be glad to withdraw the charges he had made.

SIR H. DRUMMOND WOLFF said, the case of the right hon. Gentleman was so weak, that no one on the Ministerial side of the House would anticipate much danger from his attack, or regret that it was made. He accused the First Lord of inaccuracy in saying that the advance made by Messrs. Rothschild was not a loan, but merely an advance. The Treasury Minute, however, showed that the money had been advanced on the pledge of Her Majesty's Government that they would submit the engagement to the sanction of Parliament and endeavour to obtain the necessary powers to repay the advance and the commission as soon as might be practicable after the meeting of Parliament. This was in no sense a loan; it was merely a purchase by Messrs. Rothschild of the Khedive's shares, which they undertook to sell again to the Government when they obtained powers from Parliament for that purpose. The right hon. Gentleman also said that there was a sum of £37,000 not accounted for in the Estimate. But it was accounted for in the Treasury Minute, which showed that Messrs. Rothschild were to receive 2½ per cent upon the £4,000,000, and not 5 per cent interest, but the 5 per cent interest which the Khedive undertook to pay upon the amount advanced until the date of repayment. Then the right hon. Gentleman claimed credit for having saved £5,000 out of the sum so humiliatingly expended in satisfying the *Alabama* Claims. But the right hon. Gentleman did not answer the complaint that the interval which elapsed between the time of the *Alabama* Award and the calling together of Parliament and submitting the necessary Vote was far greater than the interval which had elapsed here. Government had been asked why Parliament was not summoned at the time when the purchase was first contemplated, but in answer to that he would ask what position the noble Marquess opposite would have been in at that time, in view of the fact that he was not ready to discuss the question when it was brought forward on Monday last? The right hon. Gentleman who had just spoken asked why the house of Rothschild was to receive a commission of 2½ per cent upon the transaction—a question which he should not attempt to answer, as he did not profess to understand that branch of the subject. He could, however, answer another remark of the right hon. Gentleman, who said that Messrs. Rothschild incurred no risk in the matter. Many things might have happened which would have created a great amount of risk. He remembered that a Government equally powerful with the present had dissolved Parliament in a less time than had elapsed, and that if that contingency had arisen on the present occasion a Government might—he did not say that it would — have acceded to power which would have repudiated the provisional arrangement come to with Messrs. Rothschild. He therefore thought it clear that the banking firm incurred a risk for which, as commercial men, they were fully entitled to be compensated. The right hon. Gentleman had thrown some sort of doubt upon the veracity of the Government with reference to their knowledge, when the purchase was first contemplated, of the fact that the possession of the shares would or would not carry voting power. In support of his view on this point the right hon. Gentleman relied upon the despatch of Lord Derby to Lord Lyons —a despatch in which the Marquess d'Harcourt reported to his Government the conversation he had, on the same day, had with Lord Derby as to the purchase, and certain articles published in *The Times*. He admitted that in his despatch to Lord Lyons, Lord Derby did not allude to the voting power, but the Marquess d'Harcourt put it in his despatch that Lord Derby had denied any intention on the part of the Government to dominate over the deliberations of the Company. With reference to the articles in *The Times*, the right hon. Gentleman spoke as if he believed them to be verbally inspired, but he must surely know that newspaper articles were only partially inspired. He supposed that the Editor of *The Times* received information to the effect that the purchase was in contemplation, and that when completed the Government would obtain certain powers; but it did not therefore follow that the whole of the details contained in *The Times*' leaders were furnished by Her Majesty's Government. As a matter of fact, the Government would obtain certain influence by the purchase of the shares, an influence not solely depending upon the actual shares, but also upon the fact that the Khedive, from whom they were purchased, was represented in the Company by a controller, and would back up, where necessary, the Power which had purchased his property at a time when the amount of the purchase-money was essential to him. The appointment of Mr. Cave had nothing to do with the purchase of the shares, and therefore it was not necessary to follow the right hon. Gentleman in what he had said upon that point. He might say, however, that such an appointment was not without precedent. Some years ago the Government of Lord Palmerston sent out two "young men" —to quote the phrase of the right hon. Gentleman—in the person of the then Assistant Paymaster General and Lord Hobart, one of the principal clerks in the Board of Trade, to investigate and report upon the finances of Turkey. These Gentlemen reported in a sort of perfunctory way, and their Report was laid on the Table of the House; and, in his belief, the decadence of Turkish finance dated from that time. He did not think it necessary to say anything in reference to any desire that might exist to establish a Protectorate or to obtain any exclusive influence in Egypt. The views of England in reference to Egypt were well-expressed in 1853 by Sir Hamilton Seymour when Egypt was offered to him, as representing Her Majesty, by the Emperor Nicholas of Russia. He said—

> "As I did not wish that the Emperor should imagine that an English public servant was caught by this sort of overture, I simply answered that I had always understood that the English views upon Egypt did not go beyond the point of securing a safe and steady communication between British India and the mother country."

He declined to consider the question as one of investment, and would only remark that while it was perfectly equitable for a State to sink money in large sums with no immediate return and for indirect political objects, it was clear to his mind that, whereas the £4,000,000 invested in these shares would obtain something for the country, the other £3,000,000 to which reference had been made were gone to that bourn whence no traveller returned. Neither this country nor her Allies had looked on this transaction from a money point of view, but had simply regarded it as a renewal of the energy, vigour, and "go" which had so long been dormant in our foreign policy, but which he could not doubt was essential to their prosperity. It was proper for England to take the lead in a movement which was to throw open the trade in this canal. She had taken the initiative in Free Trade and in free navigation, and it was right that she should take the initiative in making this canal more serviceable for the world. In 1858 the hon. and learned Member for Sheffield (Mr. Roebuck), speaking with political foresight, said that the interest of England in the Canal scheme was identical with the interest of mankind, and the right hon. Gentleman the present Member for Greenwich supported this view. The policy of England in reference to the matter was clear from the first. In 1871 it was recommended by a high official in the Board of Trade that the Canal should be placed in the care of some sort of International Commission, instancing the Danubian Commission for the purpose, and in 1874 Lord Derby made it clear that his views were in consonance with the principle involved in the purchase, which Parliament was now asked to approve. Having this object in view the Government availed themselves of an opportunity which would give them a commanding position in carrying out any policy of the kind. It was certainly best for the interest of everybody concerned that the shares should neither be concentrated in the hands of a French Company, nor distributed among a vast number of small proprietors, who, if redemption were sought, would raise their price in an exorbitant manner. He believed the House, in acting in this manner, would have to refer to redemptions in other periods of history, because there had been many cases of redemption from which they might take a good lesson. The whole history of the Post Office was a history of redemption, because the Government bought up the coaches and recently bought up the telegraphs; and something might be found in the history of the transfer of the East India Company; while with regard to foreign questions there were the Scheldt and the Sound dues. He therefore looked upon our position as shareholders as merely transitory and temporary, and one which was intended to pave the way to a larger and more extended policy. This necessity for redemption might arise out of the fact of the municipal and international rights appertaining to the Company being found to conflict. Now, on the subject of the traffic, if they looked at that of last year they would find that every ship that passed through the Canal cost £800 in toll—a very large sum, which in time commerce would no doubt resist. He did not wish to enter into any question of International Law, but he would ask attention to a statement made by M. de Lesseps in 1856, in a book he wrote on the subject of the Canal, and in which he said—

> "In the Memorial which I presented to His Highness the Viceroy on the 15th of November, 1854, and which was the starting-point of the enterprize, the following passage is found:—'Why have the Governments and the nations of the West united to maintain the Grand Signor in possession of Constantinople, and why has the man who wished to threaten that position met the armed opposition of Europe? Because the passage of the Mediterranean to the Black Sea is of such importance that a great European Power who became mistress of it would dominate over all the others, and would upset an equilibrium which all the world is interested in preserving. Let there be established on another point of the Ottoman Empire a similar and still more important position. Let Egypt be made the passage for the commerce of the world by the cutting of the Isthmus of Suez, and there will be created in the East a double position beyond attack.'"

In a Report attached to the same, the question was put—

> "Was it possible to make an artificial Bosphorus between the Red Sea and the Mediterranean, and to re-establish by the hand of man the communication which Nature had formerly made between the two seas now separated?"

Now, if the Khedive of Egypt and M. de Lesseps wanted to establish another Bosphorus with a view to obtain similar political advantages to those enjoyed by the possessors of the Bosphorus, they would surely put themselves under the same political obligations, and those obligations were set forth in the Treaty of Adrianople of 1829, by which the Bosphorus was to be opened to the ships of all nations. If that were so, the reasoning had still greater force when applied to the Suez Canal, because the Bosphorus only led to the possessions of two countries and the Black Sea, whereas the Suez Canal united two seas and was available for the navigation of the world. He could only regret that the opposition which was encountered by the promoters of the Canal in this country at the outset prevented any common understanding being arrived at similar to that which was contained in the celebrated Clayton-Bulwer Treaty. That Treaty laid down that the Canal which was to be established between the Atlantic and the Pacific should be guaranteed as to its integrity by Great Britain and the United States—that, if war occurred between those Powers, the ships of each should be exempt from blockade or capture; and the contracting parties engaged to invite the States with which they were on terms of friendly intercourse to enter into like stipulations. He hoped and believed that the act of the Government in purchasing those shares was merely the first step towards the carrying out of some general understanding between the nations of the world. In conclusion, he would ask leave to read a few apposite words pronounced in an eloquent speech by the late Prime Minister, when he advocated the annexation of the Ionian Islands to Greece, and those words might be pleaded by right hon. Gentlemen below him to right hon. Gentlemen opposite.

> "I think," he said, "I may fairly appeal to the right hon. Gentleman whether, with the complexity of affairs and the diversity of personal interests we had to deal with, he could have pointed out any order of proceedings more reasonable in itself, more conformable to public law, or more likely to attain the object in view than that actually which we followed."—[3 *Hansard*, clxxiv. 382.]

He asked the right hon. Gentleman, with all the deference that was due to him, whether the act of Her Majesty's Government was not the continuance and the completion of the policy in the inauguration of which he himself took so prominent and so generous a part. He had the honour of being employed with the right hon. Gentleman in a humble capacity in his mission to the Ionian Islands, and he regarded the spirit which governed the proposals he then made to Lord Derby as the spirit of justice and benevolence. The right hon. Gentleman held then that we had no interest in the Mediterranean except interests, so to say, outside the Mediterranean, and that we merely wished to establish among the nations of that sea a character for justice and upright dealing. Later on, when the right hon. Gentleman joined Lord Palmerston's Government, he still upheld the same policy. That policy Her Majesty's Government had completed by an act, legal in itself, which showed that we had no design of aggrandizement, aggression, or dominion in the Mediterranean, but rather that the country which had first thrown open its trade to the world desired to secure for the commerce and navigation of the world the freedom of a great international thoroughfare; that we had no selfish motive, no motive other than that with which our Allies could sympathize—namely, the gathering together and concentration of the interests of this stately Empire. He therefore asked the right hon. Gentleman to support Her Majesty's Government in upholding that act.

Mr. GLADSTONE: I rise, Sir, in answer to the appeal of the hon. Member, although I am afraid I cannot do it by uttering sentiments altogether such as he would wish, or in any degree concur in his views. I agree, as the House must, I think, generally agree with my right hon. Friend, at least, in that portion of his speech in which he pointed out the disadvantages in which we stand as a deliberative Assembly. My right hon. Friend contended that this was virtually a completed transaction—that we had made a contract with the Khedive, and that the question remaining was, whether we should authorize Her Majesty's Government to re-imburse a private firm which had for the time found the money. I believe the statement of my right hon. Friend to be a correct statement. If it can be shown that we have a larger liberty accorded to us than the very stinted opportunity of which he spoke, I shall be glad to hear proof of such a proposition; but for the present I believe that the feeling of the House is one of doubt whether it is worth while to enter into the elaborate and complicated details of a question with regard to which there virtually remains to us no choice. We are, I believe, with regard to our general credit, committed as a body in the face of Europe to this transaction, in which Europe takes a deep interest; and even on other grounds it would be difficult to retract. I believe we are further and more definitely committed by the fact, assumed and asserted by my right hon. Friend, that it is we, and not the firm of Rothschilds, that have made the purchase; that it is with us, and not with the Rothschilds, the Khedive has contracted; and the seven zinc boxes which contain those valuable shares have, I believe, been handed over to our custody, or to the custody of the Queen's officers, and not to Messrs. Rothschild. [An hon. Member: No.] Well, that is the impression under which I speak. If it can be shown that Her Majesty's Government have entered into no contract, then they will have to produce Papers which shall substantially contradict the whole of the Papers that have been laid upon the Table. But, Sir, however that may be, I hope the House and the Government will not grudge the time which is necessary for the investigation of this subject. The proposition of Her Majesty's Government, upon the ground I have stated, I believe to be safe from anything like party, political, or Parliamentary opposition; and if the Government desire to stand well with the country with respect to this great and important proposal, they will act wisely, I think, in abstaining from all appearance of a desire to hurry this question through the House. It is not a question that can possibly lead to very intricate proceedings upon its details. The proposals are simple enough, although the grounds and reasons are complicated; and it is desirable that a much more full investigation should be made in the matter—at least, that it should be brought more fully home to the minds of the people of this country than it has been or could be until the question came under discussion in this House. Now, Sir, I should like to begin by doing an act of justice to two persons. It is not a pleasant duty to detain the House with a statement of misgivings, difficulties, and objections, and I will gladly begin by discharging a pleasanter part of my duty. The name of the right hon. Gentleman the Chancellor of the Exchequer has recurred, and must often recur, in the course of this discussion. I wish frankly to state that I do not regard the Chancellor of the Exchequer as loaded with any special responsibility in the matter. He is reponsible as a Cabinet Minister, and very great is the responsibility which Her Majesty's Government have taken upon themselves. They have deviated widely from the usual paths of the Constitution, and nothing but the strongest and most evident public interest can justify them in the step which they have taken. But I well know what is the position of the Chancellor of the Exchequer, when a measure is brought forward by the Government with respect to which he and the whole world must feel that, although its finance is important, yet the financial aspect is secondary in comparison with other interests involved. He cannot possibly claim that financial considerations shall rule, yet, when the measure is adopted, and when the matter is managed in the face of the House of Commons, it is upon him that the principal responsibility devolves; and for these reasons I wish it to be clearly understood, though I must refer to him repeatedly as the organ and spokesman of the Government, yet I do not forget that he did not get any special credit for the sagacity, promptitude, courage, and I know not what, which descended in showers of gold upon the Government for some days after the announcement of what had been done. He is to be regarded as merely performing an official duty in the share he has taken in introducing the subject to the House. I wish also to do justice to some other gentlemen whose names may be mentioned frequently in the course of this debate—I mean the Messrs. Rothschild. It appears to me that, whatever may have been the course of proceeding adopted by Her Majesty's Government—however provident or improvident their arrangements may have been—no blame whatever, great or small, direct or indirect, can attach to those gentlemen. They are a private firm, engaged in business on a gigantic scale, it is true, but guided by the same methods which must govern the pursuits of commerce in general. The Messrs. Rothschild were not the guardians of the Constitution. It was not their business to stand sentry upon the principles and rules necessary for the conduct of finance, and, whatever questions I may raise as to that portion of the proceedings of the Government which affected them, it was not the intention of my right hon. Friend near me, nor is it my desire, to reflect in any particular, or in the slightest degree, upon the conduct of the Messrs. Rothschild. I must own that a considerable change has taken place in the public view on this question since the intentions and plans of the Government were first announced. The general belief at that time, promoted by nearly the whole of the metropolitan Press—I think by the whole of the metropolitan daily Press—was that a great blow had been struck for the assertion of British power; that, in the critical circumstances of the Turkish Empire, notice had been given to the world that, so far as Egypt was concerned, we intended to have the first and largest share in determining what should be its destiny. With respect to the sufficiency of the measure, when the public were informed that out of 400,000 shares we had acquired 176,000, I do not doubt—and I believe no man doubts—that the universal assumption of the world, and of the London newspapers, who at that moment led the world, was that those 176,000 shares carried with them a proportionate share of voting power in the Company. And then they very naturally argued that, as in the case of the London and North-Western Company, or any other joint-stock establishment, the directors who had secured themselves by that proportion of the votes were safe against the world, although they might not have an absolute majority, and that, having obtained seven-sixteenths of the whole property of the Company, we were in a position to exercise a corresponding influence. and consequently might bid defiance to all comers. We are, however, still in the dark as to what was the degree of information on which the Government acted in this matter. My right hon. Friend has, I think, shown provisionally —and very strong evidence must be given to show the contrary—that the Government were not aware of the limited extent of voting power attached to those shares, and it will be for the Government to explain whether that is so or not. If they were not aware of it, I must own I think they have added greatly to their responsibility in having taken a step so important, and so little within the lines of the Constitution, without being in possession of the most elementary information on the subject. These were the grounds on which the public and the Press approved the purchase, and the whole of Lord Derby's reasoning in his despatches, and his attempts to allay fear and apprehension abroad by the assurance that we had no thought of exercising a paramount influence—an exclusive influence—over the affairs of the Company would have been the merest nonsense if he had not been cognizant of the fact that there was no option given us to exercise either a paramount or a sensible influence, inasmuch as the 10 votes were votes which, if we exercised them at all, we should have to exercise in the face of votes amounting to many thousands. We are indebted, I believe, in the first instance, to the French Government for having dispelled some of the illusions by which this question was surrounded. A very fair issue was raised—the issue, indeed, I think we ought to try—when Lord Derby acquainted the world that the object of Her Majesty's Government in these proceedings was to acquire an increased security for our communications with India, because he knew very well, and we all knew, that that was an object to which we attach capital and Imperial importance. I now come to what I may term the unpleasant part of this question—namely, the mode of operation which has been adopted by the Government. So far as I know, it was not only without precedent, but it was contrary to our financial principles. There is not in the country a man of purer hands and purer honour than my right hon. Friend the Chancellor of the Exchequer. If, however, he set the very worst precedent that could be imagined, under which men very different from himself might hereafter injure the country and their characters, it would not raise the slightest presumption against himself. The First Lord of the Treasury must be regarded as equally responsible with the Chancellor of the Exchequer for the financial part of the matter, and I wish to know whether there is any precedent during the 60 years which have elapsed since the Peace of 1815, or any instance in which the Government have made a financial arrangement of a character corresponding to this, or for an amount either equal to this, or for any considerable magnitude at all, privately and with a private firm? That is a matter of the greatest consequence. The rule of our finance is that the greatest and most jealous provision is taken against malversation of every kind. If my right hon. Friend the Member for the University of London, instead of being pure and upright—if I myself had been disposed to lay hands upon any of that public money of which so much passed through our hands, it would have been—I believe with the single exception of that very limited branch of the public expenditure known as "Conscience Money"—entirely beyond our power to do so. It is the wisdom of this country to surround the Finance Minister with rules that make his position perfectly safe in dealing with sums so immense, and some of the rules have reference to the mode in which he conducts those great financial operations with persons in the City. I may be wrong, but if there are any precedents I should be glad if they can be produced, because it is not to the credit of the Government of this country to deviate from established rules by a transaction of this kind. I know of no such precedents. The case which in magnitude most resembles the present one—the Arbitration Award—has no relation whatever to the matter we are now dealing with. So far as I am acquainted with the rules applicable to this subject, the Chancellor of the Exchequer, if he is in want of money, has this option before him—he may go to the Bank of England or to the public; but I have never heard that the Chancellor of the Exchequer was at liberty to send for any private firm, however eminent and responsible, and to contract with them for a great financial operation, involving the Treasury of this country to the extent of several millions. When the Chancellor of the Exchequer deals with the Bank of England, that is not the usual mode of conducting such operations; but I can conceive that when Parliament may not be sitting, he might be under the necessity of doing what he would not otherwise do. When he deals with the Bank of England he deals with a body which, although independent, is under the most solemn official obligations. In old times the Bank of England was not only the servant, but the trustee of the Government. It is still its trusted agent. It has enormous transactions and most lucrative engagements with the Government. It manages our issues and receives our deposits, and conducts all the transactions connected with the National Debt. It is under the deepest responsibility to Parliament and the country; and not only the heads of the Bank, but every officer of the Bank who would be taken into their confidence has the same feelings as a public servant would have in regard to transactions of this kind, and would feel the same sacred obligations of secrecy with respect to whatever might be communicated or come within his knowledge in such a matter. There are many reasons, upon which I need not dwell, which distinguish between the Bank of England and a private establishment in this matter, and I wait to be contradicted before receding from my proposition that, according to all I know, all I believe, and all I have heard, it was either the business of the Government to appeal to the public and to transact the business of the State under the most favourable terms with the public, or else to go to the confidential agents of the State—namely, the Bank of England—and ascertain, before going elsewhere, whether through them the business could be satisfactorily managed. I think it was part of the absolute duty of the Government to explain to the House why this course was not pursued. I blamed the right hon. Gentleman the other night for his conciseness. I noticed several omissions in his speech, and the number on reflection has greatly multiplied. One was, the omission to explain the very peculiar method which the Government thought proper to adopt. Now, Sir, this matter is rather a serious one. When the Government deal with the Bank of England in a question of this kind, they are perfectly certain that their confidence will be kept as much as if they were within the limits of their own office. I have not a doubt that when they dealt with Messrs. Rothschild the Government dealt with those who were personally as certain to keep their confidence as even the Governor and deputy Governor of the Bank of England, but I cannot have the same assurance with regard to the members of Messrs. Rothschild's establishment. I cannot have any assurance that there was not given an opportunity in the days between the completion of the transaction and the communication of the intelligence which enabled multitudes of persons to go into the market and there operate to the extent of many millions upon the strength of that which they knew the Government to intend and which the world did not yet know. I have already put a question as to a precedent for the manner of the proceeding with a private firm, and I will ask the Government to tell us whether they are in a condition to say, that there did not take place very large speculations in Egyptian Stocks before their plan was made public, and founded upon the knowledge that the plan had been adopted and was about to be announced. As to the amount of this commission, it may appear to be very shabby to complain of the payment of £100,000—or £130,000, as it would be more truly described—to Messrs. Rothschild on account of this transaction; still, with my right hon. Friend, I am of opinion, not only have we a right, but we are under an absolute obligation, to do the business of the public upon the most reasonable terms; but I cannot help thinking that the credit of this country is placed in a most unenviable position before the world in relation to this transaction. We are told that Messrs. Rothschild were compensated for their trouble and their risk. I want to know what was their risk. I want to know whether their risk was not a risk any rational man would have taken at the cost of one brass farthing. If ever we happened to be in a condition—which we are not—to arrest the measure of the Government, and to say it shall not go forward and we will not become proprietors in the Suez Canal—even if we were in that condition, is there a man in this House who does not know it is our absolute duty in honour and honesty to take care that Messrs. Rothschild, who are liable to no blame, either of rashness or otherwise, should not lose one iota by the transaction they carried on? Therefore, the risk is none; the payment is a payment for the use of money; and the money was £4,000,000. I cannot give, nor could my right hon. Friend give, dates minutely, because we do not know the precise dates when the sums were paid and repaid; but if I say that three months was the time during which Messrs. Rothschild were out of £4,000,000, I believe this is a liberal statement as to time. What they receive is first of all 5 per cent, which the Khedive stipulates to pay us; and, secondly 2½ per cent on the capital, which for three months is 10 per cent per annum for the use of it; and that added to the 5 per cent makes 15 per cent per annum as the price at which, in the year 1875, British credit is to be appreciated in the British market. I will not stop to inquire into that now; but undoubtedly it has been said of late in several senses, including that of self-glorification, that the British Sovereign is a great Oriental Potentate. I must say if we pay 15 per cent for our money in the British market for the purpose of accommodation, it seems to prove that we are an Oriental Potentate indeed. Let me pass from the form to look at the substance of this question. I make several admissions freely to my right hon. Friend. He says, as I think truly, that the public were carried away with an absolute show of approval; it amounted almost to unanimity; there never was a more complete conquest made by any Government. The individual with whom we are all acquainted, and who is well known as "the man in the street"—and almost all persons of all characters and descriptions gave their approval at the moment to the measure. The Papers produced by the Government show a considerable amount of foreign approval, and I think what we read upon the whole shows a small amount of foreign jealousy. There cannot be a doubt, as my right hon. Friend says—he seemed to contest his point, but I would re-assure him as far as I know—that we have conferred a benefit upon the Khedive; certainly we have conferred a benefit upon the Khedive, and such a benefit, I should think, never was conferred upon an Egyptian Ruler since the days when Egypt was the greatest Empire in the world, 3,000 or 4,000 years ago. You have also conferred an enormous benefit on the Suez Canal Company, and that is not the worst part of the transaction, because the Company has deserved well of the world, and I must say has received ill of us. If the cost of the Canal has been enormous, so as to be to the Company a misfortune, it was seriously aggravated by our opposition; and I am so far glad of that portion of the proceedings of Her Majesty's Government, that as I feel, in some sense, we owe the Company a debt, if the result of the proceedings of Her Majesty's Government is to satisfy that claim, I shall be the last man to grudge the benefit to the Company. But there was more than this. I think, upon a careful perusal of the Papers, I must admit that evidently the conduct of transactions with the Canal Company, the little *tracasseries* of complaint that arose upon the detention of ships, the demands for the repayment of money, the complications that arose from the ill-defined relations between the Company and the Government, the Egyptian Courts and the French, the Khedive and the Porte, did impose upon the Foreign Office very irksome and disagreeable duties, which the Government thought would justify resort to a measure of this kind. I frankly own they had much annoyance to encounter; but I do not think that any such justification can be pleaded for the present measure. But let us look at the proposal itself with regard to those justifications which have been pleaded. The former state of things may have been alarming to anyone at the Foreign Office engaged in the management of these private and personal complaints, and I daresay an Under Secretary, feeling much upon the subject, would say it was a bad state of things. It was a very complicated position of affairs; probably no joint-stock enterprize ever stood in relations so complex as the Suez Canal Company. It had its hold upon France; it had its legal domicile in France; a *quasi* French character attached to it; a very large preponderance of French shareholders; it was absolutely subject to both Egyptian and Turkish law; and I need not say that the lines of division between Egyptian and Turkish authority are ill-defined. It was therefore a most complicated position in which this Company stood; it was not very agreeable or satisfactory to them; but I do not see that it was a matter of capital concern to the world. It was for us a perfectly practicable and workable position—the Company was a great power, and the resisting power lay in all the Maritime Powers of Europe having one thought, one purpose, one interest in reference to the Canal, and all of them working together. The matter had come to issue. The Company had attempted to exercise its powers and impose charges which the Maritime States thought unreasonable. As the right hon. Gentleman said, M. de Lesseps, who has shown great gallantry with all the other great qualities which adorn human nature, in the wonderful struggle he has conducted to a successful issue, tried what he could do to intimidate these Powers by the threat of closing the Canal. He was beaten, he gave way, he could not help giving way, he was reduced to a system of verbal protests, and in verbal protests alone he could find comfort and consolation, while the sifting, examining, and deciding upon the demands made upon the Maritime Powers took effect in the actual government of the Canal. What was our position in the matter? Were we great sufferers? On the contrary, we had the largest interest in the use of the Canal. We were, therefore, the natural leaders of the Maritime Powers; we urged what we thought just, and we obtained what we urged; and with the immense advantage of urging as the organ of the united interest of Europe, and not as the mouthpiece of an interest merely selfish. There was no risk of our being divided from the others, and as long as the Powers of Europe were united with us in our views as to the just management of the Canal we were certain to prevail. That is, I believe, a true statement of the condition of affairs as it was up to the month of November last. What then happened? The Khedive was under the necessity, not of selling his shares—the Khedive never proposed to sell his shares, it was not his doing—that is our plan, not his—the plan of the Government; some say it is the plan of Mr. Somebody, supported by Mr. Somebody else, and hence it came to be adopted; but of that I know nothing. All that I know is that it is the plan of Her Majesty's Government, and the House should recollect that the sale of the shares was not the plan of the Khedive. My right hon. Friend says we have to consider what political inconvenience would have resulted if we had allowed affairs to drift. I want to know from the Government whether they propose to show us the positive reasons which induced them to act in this manner. They have proceeded on the assumption that these reasons existed; they have set up the French shareholders and the French Company as a bugbear to frighten us out of our wits, and give us to understand that horrible consequences, which can be appreciated but hardly stated, would have followed if a Company having its locus in France had become the possessors of the shares of the Khedive. I want to know what were those great evils which could have accrued. If it had been a divided Company before, with two interests in it, and one had been French and the other anti-French, and the question had been about the withdrawal of one of the two, I could understand that there might have been a derangement of the equilibrium of the Company, and that some strong measure was necessary to prevent it. There was nothing of the kind, There was no interest in the Company adverse to the French interest. The Khedive had a great power over the Company, but not in his capacity of shareholder. The

Khedive had assured the Porte over and over again, that so far as regarded influence over the Company, those shares would have absolutely none whatever. Was the Company, then, a divided body? It was drilled under M. de Lesseps as an army under its commanding officer—they moved forward, halted, or receded, just as he chose to give the word of command. I mention this not to their disparagement, but simply as a matter of fact. Let me say one word for the French in this matter. We have been a little hard upon them. We did everything to prevent them from initiating this great enterprize for the benefit of mankind. They did initiate it for the benefit of mankind, and most of all for our benefit. The conduct of the French Government in this matter has never been to blame. They have regarded it as an enterprize as one of world-wide interest; they have not sought narrowly to promote their selfish interests through the medium of the position they had acquired; and it would be hard indeed to charge on them any intention which we have not the smallest right to impute to them of self-interest. I wish to know what were the new evils of a practical character which Her Majesty's Ministers apprehended would flow from the acquisition of these shares by others or by the French Government? That has never been stated, and ought to be pointed out. What we know is, the Company were perfectly united before, and any influence of the Khedive did not depend on his possession of these shares, but on his position as Governor of Egypt. But if the Government were to move at all, the natural and obvious course to take was to move on the lines the Khedive himself had laid down. Those lines were an advance of money on the security of the shares. If you were to move at all why not endeavour to construct a plan on that basis? A temporary advance of money on the security of the shares would have enabled you to look at the value of the shares, and if as a matter of business you did not think the security sufficient you might have called on the Khedive to throw in other equivalents to bring them up to the mark. You might have discussed the amount you had to advance. The country was entirely deluded when it was told by the Press that £4,000,000 was wanted immediately. No, the contract was that only £1,000,000 should be paid at once, and the remainder in two or three months, as a matter of arrangement between Messrs. Rothschild and the Khedive. Why was not that plan adopted? You are bound to show strong reasons against it. It is quite clear that under that plan some advantages would have been gained. First, you would not have made this signal invasion of the privileges of Parliament in disposing virtually of £4,000,000 without the sanction of the House of Commons. In the next place, you might have given us free judgments instead of a judgment which is not free; because you might have placed the matter before us in the interval whilst a temporary advance existed, and, as I have said, you might have secured yourselves by an examination of the securities, so as to be well assured of their condition and value. There would have been another advantage. You have said, and Lord Derby has said particularly, that what he desired was to bring the other Powers of Europe into partnership with the Government in the acquisition of the Canal. I wish to make a moment's reserve in speaking of international syndics and international arrangements. I wish to reserve my judgment in regard to them. Serious difficulty may sometimes arise in connection with them. In time of war I should like to know whether any international syndic or arrangement would be advantageous to this country. It appears to me that not only has nothing been gained by this arrangement in regard to the contingency of war, as to which Lord Derby is ominously silent, but much has been lost. That, however, is a matter on which I do not know that it is desirable or politic now to enter. I assume it was desirable — I assume it was creditable to our character that instead of entering into this transaction on our own footing and separating ourselves from the Powers of Europe, we should endeavour to make them art and part in the transaction. Had you taken the plan of the Khedive you could have done all that, and at the same time respected the privileges of Parliament. But you rejected his plan and you took your own. That entirely prevented you from taking Europe with you, and made it necessary to take into your own hands the functions of Parliament and setting precedent in that respect, which I am by no means sure we shall not have to take some specific step or measure to guard against its repetition. I hope the Government will give us some clear proof of the measure of what they thought fit to accomplish. Theirs is a position of great difficulty when they are asked this question—if you went so far, why did you not go further? The hon. Gentleman who has just sat down, the Member for Christchurch (Sir H. Drummond Wolff), has defended the proceeding of the Government. Upon what ground has he defended it? On the ground that it is a first step—that it must be followed by other steps—that the only good and sufficient ground would be the acquisition of the entire Canal, and that the Government must move forward in that direction. Now I think we are entitled to ask the Government whether they can assure us that there is no risk or likelihood of their having to enter into other transactions and fresh outlays in consequence of this transaction. Upon this subject they have not favoured us with one word of explanation. But one thing they have done—although they have given us no explanation why they did so—they refused the offer which the Khedive made to them. The Khedive had offered them the opportunity of purchasing what are sometimes called "the founder's shares"—I do not know that the expression is a very accurate one, for the Khedive was not the founder of the Canal—I would rather call them the 15 per cent shares; but the Government having received the proposal to purchase these 15 per cent shares appeared to have been fastidious, and suddenly became shocked with the idea of entering into so speculative a transaction. They said they did not feel disposed to enter into a speculative purchase of that kind. I assume that the Khedive was to be believed in the representations he made. If we do not believe what he said there are some important consequences that will follow. The Khedive had never pretended that what we bought would give us influence on the Company. The Government set up that doctrine, not the Khedive; but he said—If you purchase the founder's shares they will give you control over the Company; they will carry with them greater power of control over the Company than the possession of the shares would give. I want to know what is the difference between a speculative and a non-speculative purchase. We have purchased shares which carry no dividend at all for 19 years, and for dividends on which we are then dependent on the simple promise of the Khedive. The Khedive offers shares of which it does not seem too much to hope that in four or five years they may begin to bear some dividend, and before 10 years will bear a large dividend. We accepted the first of these as a safe and complete transaction, and the second was rejected as a speculative purchase. I want to know on what grounds the Government considered themselves entitled to buy shares that carry dividend only after 19 years, and at the same time declined to purchase other shares that bear 5 per cent and in a few years would bear 10 per cent, although these were recommended to them as carrying direct influence over this Company which they were so anxious to control? I own I cannot see on what ground it is if you have gone so far why you can refuse to go further. That is a portion of the case which the Government have not yet attempted to explain. The grand object of this great operation—for such it is—was to obtain additional security for free transit to the East. A distinguished Gentleman who lately solicited the suffrages of the electors of Manchester intimated to the constituency of that great City—if he is correctly reported—that nothing could be more monstrous than to raise a doubt of the wisdom of this transaction—for, he said, Is not the Prince of Wales in India, and is not the Princess of Wales in England, and are we going to put the Prince to the hazard of not coming home by the nearest route? That may have been one of the main objects which the right hon. Gentleman had in view; and if so, I want to know in what definite and specific manner we have obtained additional securities for the free transit of the Canal to India. I confine myself in the main to putting questions, and I am afraid that I have put a great many and have a great many still to put; because I contend that we are by no means informed as to all the bearings of this transaction, and that there is a moiety of it with respect to which the Government have never given an explanation, but, on the contrary, have been remarkably, I will not say ominously, silent. I apprehend that additional security for free passage to

India is but one meaning of what may be understood by additional control over the proceedings of the Company. I want to know in what way you obtain control over the proceedings of the Company within the precincts of the Company itself. I have shown already that we have had a most powerful, effective, and, I think, sufficient control over the proceedings of the Company from without. But in what way are we to have it from within? In only one of two ways can the ingenuity of man show it to be possible. One way is by obtaining a majority of votes; the other is by showing an identity of interests. Have you obtained a majority of votes? Ten votes are what you either knew, or did not know that you were to obtain, and even those 10 votes are subject to criticism. They have never been admitted as of right. M. de Lesseps seems to have admitted them for a practical reason — there was a great difficulty in making a quorum at his meetings, and these 10 votes afforded him useful assistance. But at any time when it suits intrigue or policy the claim to vote which the possession of these shares gives may be questioned. And where, if questioned, will it be decided? It will be decided in a Court of France, in which Her Majesty will have to appear as plaintiff, with the Suez Canal Company as defendants; or, if not in a Court of France, in a Court of Egypt, but certainly not in a Court of England. I cannot think that Her Majesty's Government gave sufficient consideration to what is due to the dignity of the Crown when they not only accepted thankfully but sought eagerly the peculiar position in which they have placed the Crown for the establishment of its rights as a shareholder in the Suez Canal Company. But it is admitted that you have not got the votes, and it is said you are going to send three directors to a Council consisting, I believe, of 22. [The CHANCELLOR of the EXCHEQUER: Reduced to 21.] Well, that is an inducement, but I am afraid not an effective one; and I want to know what will be the position of those three Gentlemen who, possessing the confidence of Her Majesty's Government, are to endeavour to exercise that control over the proceedings of the Suez Canal Company which the British public, in the tempest of its approval two or three months ago, considered and were told by the metropolitan Press they were to acquire. They cannot do it by votes. Can they do it by showing identity of interests? Now, I ask you, as men of business, whether there is an identity of interests in a joint-stock company between shareholders who have a dividend for 19 years, and shareholders who have no concern with that dividend, but derive their interest from other sources, and with respect to whom it makes no difference whether the returns are small or large. Of course, questions will arise between the two classes of shareholders about dividends or repairs, liberal or stinted administration, and extension or otherwise. The one will argue for repairs, for liberal administration, for great extension; they will point to the future, and draw glowing pictures of what the property will become if a liberal policy is pursued. But the answer will be—"That is all very fine; but we have wives and children to look to, and we want our dividends for the next 19 years. You must go back to London and tell your Government, your metropolitan Press, and your Parliament, if you want these improvements you must pay for them; you must come down liberally out of the resources drawn from the vast wealth of the country you represent. If you bear a large share in the work of improvement, then we shall listen to you, but not unless you consent to accept those fair and equal conditions." I again want to know whether I am not correct in saying these questions deserve an answer:—First of all, whether, if you are to control the proceedings of the Company, your control must not be dependent upon an available majority of votes, or else upon an identity of interests with the other shareholders; and also whether it is not true that, as far as regards in round numbers a period of 20 years, the interests of the British Government as shareholders are not identical with, but are in positive opposition to, the interests of the other shareholders, inasmuch as the wants of shareholders of the Canal and the wants of the mercantile community are not the same? What one party will want, will be the improvement of the Canal; what the other, will be the maximum of dividend. I am afraid that is the answer we shall get when we are preaching the sound doctrines that we shall preach to our brother shareholders. There is no doubt that, in regard to the ultimate interests of the enterprize, the shareholders and the customers of the Canal are in the same position. That is what called "the long run." But "the long run" does not and never can govern, except to a limited extent, the conduct of such a Company, let it be ever so enterprising. The shareholders of this Company, whom we did our best to keep out of their dividends for a length of time, will naturally think we have no further claims upon them. On the other hand, I am inclined to think that they will make claims which will induce Her Majesty's Government to run the very unpleasant risk of drawing upon the Exchequer—a thing of which Her Majesty's Government did not dream, and of which most certainly they did not give us any intimation whatever. And if we are to do so, let us consider what it will come to. I am very confident what it will come to. I saw it in the newspapers to-day—I do not know whether it is true, but we are told—that Mr. Cave and M. de Lesseps have arrived at an arrangement for increasing the burden on the trade which passes through the Canal. I cannot believe that such an arrangement is possible, because down to this date we have been contending that we have acted only in the common interest of the Maritime Powers; and, further, it does not belong to anybody except the Porte and those very Maritime Powers to determine whether the charge shall be reduced or increased. But I am not now arguing for an increased burden on vessels using the Canal. I am contending that if the Chancellor of the Exchequer is at a future date to come down and say how vast the importance of this Canal will be to us, and as we cannot induce our brother shareholders to benefit us out of their own pockets he has to ask Parliament to make a large advance for the improvement of the Canal, then comes in another view—that the general taxpayers of the country may be called upon to subsidize one particular branch of our trade, the Indian trade, which makes such large use of the Canal. I must own that I am not without considerable fears and misgivings in regard to the ultimate operation of this precedent. I hold it to be of the greatest importance that we had formerly a complete identity of interest with other States in the Canal; our ground was sound and immovable, and might have remained so as long as you made your demands as the champions of the general interests of Europe. I am sorry I am not now looking at an isolated scheme, in which capacity alone it is presented to us; but that we are now to have a separate, and what will be called a selfish, interest of our own. It seems to me that we run a very great risk in abandoning that community and identity of position with the other Powers which we have hitherto enjoyed. Nor do I believe that you can at all be certain that you will be free from invidious —unmerited, no doubt—but invidious and inconvenient reproaches and suspicions. I am not by any means sure that you will not give a handle to any Government with which you may happen to be at variance to use against you, as a means of intrigue and opposition, this position which you have, I am afraid, unwisely chosen to adopt. Then that complexity of relations between the Company and the Powers may occasion possibly very serious embarrassments. Some Powers may go to Egypt and set up an influence against us; others may go to the Porte and do the same. Every sort of claim may be made against us; and there is no certain tribunal of public law to which you can bring these claims, and no clear and positive rule by which to dispose of them. It was easy to dispose of them, however, so long as we had Europe on our side. It will be very difficult to dispose of them when it is only our own interest that we have to protect. Now, before I conclude, I must look for a moment at the finance of my right hon. Friend, and here I must say, that of the useful art of building there is one branch in which my right hon. Friend promises to become a great expert; and that is the art of what is called "castle-building." My right hon. Friend coolly handles this 5 per cent which the Khedive promises, analyzes it, considers it under the head of capital, and tells us how many years you will have your interest, and then get your shares for nothing. How is all this achieved? Without the slightest difficulty. The transaction is not to be lost in the general accounts of the expenditure and income of the country. That would obscure the glory which he hopes the Government in this matter will obtain. And all that he takes on trust, and entirely irrespective of the question whether we are ever to get the money or not. Are we, however, to get it; and, if so, what assurance have we that we shall get it? I want to know, in the first place, whether this is a prior or a preferential charge upon the revenues of Egypt. If I read the letter of Lord Derby to General Stanton, I find that the latter is to impress upon the Government of Egypt that this is to be a primary charge; but in the agreement that is signed by General Stanton on behalf of the British Government there is nothing about this being a primary or a preferential charge, but merely that it is to be a charge upon the revenues of Egypt. But, even assuming that it is to be a primary or a preferential charge, I am far from thinking that even in that case we should be altogether out of the wood. Taking into consideration the critical position of Egypt with reference to its finances, and the abuses which the right hon. Gentleman describes as prevailing in its administration, it would, I think, scarcely be consistent with the honour and dignity of the British Crown to avail itself of its political influence for the purpose of enforcing this prior charge against the other creditors of that country, entitled under prior engagements. In that, as I gather, my right hon. Friend agrees with me. I think, however, on a careful perusal of both the documents to which I have referred, that Lord Derby is mistaken, and that we are to have no prior charge on the Egyptian revenues. And if that be so, what is the security we are to have for the payment of this money? Is it to be the same security as the other creditors of Egypt have? I ask, therefore—and upon this point I think we must press for a reply—have the Government or have they not a reasonable conviction that for the next 20 years, at any rate, the Egyptian Government will be in a condition and will be willing to meet its engagements? The right hon. Gentleman is asking us to vote money upon the faith of the promise of the Khedive, and what are the inducements he holds out to us to vote that money? He tells us he has sent out a Commission of Inquiry to Egypt, and that the result of the Inquiry instituted by that Commission has convinced him of three things — I care little for those three things, because the right hon. Gentleman might have been easily satisfied with regard to them without going to the trouble of sending out a Commission of Inquiry. I care for a fourth, about which his Commission tells us nothing. The three things of which the right hon. Gentleman tells us he is convinced are—first, that the resources of Egypt are great; secondly, that the sins and offences of its financial administration are great also; and, thirdly, that if a thorough repentance take possession of the offenders and that everything now wrong be set right, that if in this Mahomedan country, in this little organized country, and in this absolute country, good sound normal systems of finance be forthwith introduced and steadily maintained, then very likely its finances will be placed on a sound basis. I feel very much disposed to agree in all three of these propositions. But, at the same time, I know that when deep and inveterate disease has taken possession of the finances of a country, it is not in a day, nor a year, nor in 10 years, that it can be eradicated, and the financial system restored to a healthy condition. There is not a country on earth that has so little excuse as Egypt for having its finances in disorder. It was the country where the Sovereign was richest, where the soil was richest; it was the country where the rule was most absolute; it was the country where the subject was the most obedient; it was the country which had no European responsibilities to discharge. The Turks may have had their difficulties, and their ideas of maintaining a great army or a great navy; but the Emperor of Russia was not going to attack Egypt. Egypt, therefore, had no occasion and no excuse for any portion of that profligate expenditure which has brought her to the position in which she now is. How, therefore, am I to expect that such a moral miracle can be effected as that Egypt will reform her financial administration, and that the stroke of the right hon. Gentleman in furtherance of his Oriental policy will conduce to a complete revolution in the finances of the country, will drag them from the depths to which they have sunk, and will bring them into a condition of comparative purity, soundness, health, and vigour, which even in this country has been the slow attainment of long labours and of many generations? Is it not surprising that my right hon. Friend, who is so circumspect that he will not give us anything but "if" on which to feed our hopes, yet coolly opens the money-box, reckons the interest, and says—"In a few years it will all be right if this, that, or the other is done, and that we shall get our shares in the Suez Canal for nothing?" I wish to know from the Government—and I must press them for a reply—whether we are to have the same security for the payment of this 5 per cent as the general creditor of Egypt has for the payment of his interest. At one time it occurred to me that so great were the embarrassments and apprehensions connected, not with the present future, for we must look beyond that, but with the possible evolutions of this magnificent policy, that really it was a consideration whether it would not be well to take all these shares and divide them amongst the Members of the Cabinet, asking them to accept them as a small acknowledgment of their services in this transaction from a grateful country. I am by no means certain even now that that would be a bad bargain. I have great apprehensions, as I have said, about the receipt of this 5 per cent; but I have much greater apprehensions as to the position into which the necessity of calling them up may draw us. That is a question of the most serious character. I will suppose a case. We have no doubt that for a year, or perhaps a little more, everything will be made smooth, easy, and admirably punctual, and the right hon. Gentleman may sleep calmly on his pillow, so far as the Egyptian payment is concerned, for the coming financial year. But I go beyond the year, and I will assume that the moral miracle anticipated by the Treasury Bench does not take place, and that these financial embarrassments occur. Then the Chancellor of the Exchequer of the day, hearing that the money is not likely to be forthcoming—and such things do happen in Eastern countries—desires General Stanton to go to the Khedive of Egypt and say to him—"You will be required, you know, to pay that £100,000 punctually on the 1st of June next." The Khedive will say to him—"I can pay. I do not deny that I can pay. I will show you the money, and you shall see everything—what are the expenses of government, and what funds are available. I can pay it; but if I do I cannot pay the dividend of a prior creditor, which will become payable on the 1st of July." That is a position in which I do not wish to see the Chancellor of the Exchequer of this country, competing with other creditors of the Khedive of Egypt for payment of this money, when it will be obtained only by taking the money out of the pockets of those who made their contract with the Khedive before you made yours. Nor am I sure that this is the last or the worst difficulty; because I think it is perfectly possible that if the pressure upon this or some other Khedive becomes very inconvenient, there may be other Powers who, feeling a resentment at the severe pressure put by a great Power like England upon a small Power like Egypt, will speak honeyed words in the ear of the Khedive, and propose arrangements of mutual accommodation to bring about relations upsetting all ours, with the possibility of very inconvenient and mischievous results. These are the political apprehensions that occur to me, and indeed wherever I move on this subject the ground seems mined under my feet. I have asked Her Majesty's Government a number of questions upon this subject, and I most sincerely hope that they will be able to give replies that will satisfy me, and, what is of far greater importance, will satisfy this House and the country. I do not speak of this as a matter on which I desire to dogmatize. I say that this question is full of difficulties, and that they have not been solved—that it is full of knots, and that they have not been untied. It may be that it was necessary to move in this matter; it may be that this was the right way to move; it may be that your financial arrangements are consistent with precedent, with constitutional rule, and with prudence; it may be that you will show a justification for your remarkable invasion of the privileges of the House of Commons in virtually disposing of this money without its consent; it may be that political embarrassments are not likely to follow, as I fear they may, the step you have taken; it may be that our influence over the Canal Company will be augmented, and that in that sense our security for free passage to India improved—all these things may be capable of truth, but I strongly assert that of not one of them down to the present hour has proof been given.

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is impossible to follow a speech like that to which we have just listened without admitting the very great force and the very great ingenuity of many of the arguments of my right hon. Friend. Our position, respective or irrespective of the step we have taken in the purchase of these particular shares, is one which is certainly open to complications, and undoubtedly—whatever may be the position which we shall hold with respect to the possession of shares in the Suez Canal—many of these inconveniences which the fertile imagination of my right hon. Friend has placed in so powerful a light before the House are inconveniences which it is quite possible may occur, and which we must prepare, if they do occur, to meet as they arise. It is impossible to deny that complications may arise with foreign countries, or with Egypt, or with the different interests concerned in the maintenance and navigation of the Suez Canal in consequence of our purchase of these shares, and that we may require efforts of statesmanship, prudence, and courage to deal with them. But the question we have to determine is, whether the difficulties which my right hon. Friend tells us are inevitable would not have been quite as formidable, or even more formidable, had we not purchased these shares; and whether had we held aloof in the matter the dangers foreshadowed by him might not have been precipitated; and whether, by the step which we have taken, we have not put ourselves in a position of greater advantage to meet them, if they should arise, or, which I rather anticipate, to prevent them from arising? I greatly regret that in the statement I made the other day I was considered to have been too concise in my exposition of the views of the Government with respect to the purchase of these shares; but the real truth was, I thought that it was a matter which I had better simply bring before the Committee, by way of opening the case, and I was rather disposed to wait for questions that might be raised by the Committee than to excuse, and thereby accuse, our proceedings on points on which they might never be challenged, or to enter on a discussion of questions on which I should think there was no difference of opinion. But after the speeches of the two right hon. Gentlemen, I feel that further explanations are called for; and I therefore wish, in the first place, to clear my statement of one difficulty which I think was imported into it by the line which my right hon. Friend who has just sat down has taken, not only on this, but on a former occasion. I wish to clear my position of any connection with language that may have been held by the Metropolitan Press. It is enough for us to have to explain and defend our own policy; and we are not to be held liable for the language used by the Press with which we have no connection. Although we were told that certain articles were inspired, and were evidently the language of Her Majesty's Government, my Colleagues and myself say there is no foundation at all for any such statement. When the matter was finally settled we undoubtedly, as we were bound, communicated the fact of the purchase of the shares to persons who communicated it to the organs of public information, and that, I believe, is the whole extent of our connection with the matter. For any inferences that were drawn from it the Press are entirely responsible. Well, setting that aside, I turn to a question on which a good deal of stress has been laid. The right hon. Gentleman the Member for the University of London began, I think, by asking us what was the real question which the House had to decide, and my right hon. Friend put a somewhat similar question. They asked—"What are the relations of the Government with Messrs. Rothschild?" They also asked—"What is this Vote which you are asking for? Is it one which lies within the power of Parliament to decide and vote upon freely or not?"—and coupled with that question were important questions which my right hon. Friend raised with the usual force of his language as to our Constitutional position and the propriety of the conduct which we had pursued, and which he very seriously and gravely impugned. Well, I think that to a certain extent the second of those questions very much answers the first. We are told by the right hon. Gentleman the Member for the University of London that, after all, the vote which we are asking the House of Commons to give upon this occasion is a mere form, because it is absolutely necessary that Parliament should confirm the action taken by Her Majesty's Government; and that there can be no question whatever as to the decision of the House. But almost in the same breath my right hon. Friend challenges us to show that our proceedings have not been of a most unconstitutional and objectionable character. Why, I must say that it seems to me something like an affront to the House of Commons to suppose that the House, as a matter of course, should confirm proceedings which may be of a most unconstitutional and objectionable character. If our proceedings had been admitted to be perfectly regular in all respects, if the only question was whether our policy was an advantageous or a disadvantageous policy upon some question as to whether we ought to have given so much for the shares, a little more or a little less, then I admit that it might have been said—"This is a foregone conclusion." But when my right hon. Friend turns round upon us and says—"You have done the most unprecedented thing that ever was done in the present century, and you are now asking the House of Commons to confirm what may be a most mischievous transaction," it is inconsistent to say—"After all, it is a matter of course that Parliament should approve it." It was a transaction in which we felt, and those with whom we were connected in this matter must also have felt, that it was a case which required full and careful consideration, and in which we should come before Parliament to ask for its free and unbiased judgment. Now, that is important, because the right hon. Gentleman the Member for the University of London almost admitted in so many words that the reason he impressed upon us the obligation which he said lay upon Parliament in this matter was, that he wished to make it the foundation of his argument that Messrs. Rothschild in undertaking this bargain ran no risk, and that we had consequently made an improvident bargain. I say, on the contrary, the challenge thrown out by my right hon. Friend to show that this unprecedented action is not one that deserves censure and repudiation by the House of Commons proves that the view of the right hon. Gentleman the Member for the University of London is not a just view of the matter. Well, I think the transaction was unprecedented. The whole policy and connection of the British Government with an undertaking of this character are unprecedented, just as the Suez Canal itself is unprecedented. And undoubtedly the conduct of the Government could not be precisely in accordance with any precedent in a matter in which precedents did not exist. Well, now, what was our policy? We have given a history of this transaction more than once to Parliament, but I must revert to it. My right hon. Friend said just now the question of a purchase of shares was not one initiated by the Khedive; it was initiated by the British Government. Now, I will ask the House to notice what the precise steps were. We had it brought before us that the Khedive was thinking of raising money upon his shares. The probable terms were stated, and we at once perceived that the money would be advanced at an exorbitant rate of interest for a short period upon the security of these shares, and that when that short period expired he would be unable to discharge it. The obligations of the loan might be renewed, until at length the Khedive would be driven to part with his shares under circumstances of embarrassment. We saw that there was danger of his falling into what would be a very disadvantageous arrangement, and we used our friendly influence with the Khedive to induce him not to mortgage his valuable property. Now, we perfectly knew what the general circumstances in Egypt were. We knew quite well that one of the errors of the Viceroy of Egypt had been his parting from time to time with property valuable in itself and promising to be more valuable in the future, at ridiculously low prices, and we saw that if he were to go on in that way, it must be bad for the condition of that country, in which we took, and justly took, an interest. Well, we advised him not to obtain a loan upon his shares, and we made him an offer—that if we were able to assist him by purchasing the shares, and if fair terms could be arranged, we were ready to consider the matter. The proceedings went on. The Khedive still from time to time was making further arrangements until the last point arrived, at which he told us he was now prepared to sell his shares, that he had had an offer of £4,000,000 for the purchase of these shares, but that he gave us the first refusal of becoming the purchasers. We saw that it was then time to act at once, and that the only course which was open to us was to make a purchase. My right hon. Friend says—"You might have made an advance, that would have been all right; but to purchase them was unconstitutional." Really I am unable to perceive the distinction between the constitutional character of the one or the other proceeding. My right hon. Friend also says—"You ought to have gone to the Bank of England." Well, I admit that, as a general rule, if this had been a question in which we were proceeding upon some regular authority from Parliament as in any ordinary transaction, we ought to have applied to the Bank of England to undertake the operation for us. But that was not the position of the case. We knew that we were taking a step outside of strict law, and we had to consider whether we should be in the right in asking a public body like the Bank of England, with a public obligation, to concur in that breach, which would have involved a breach of the law on their part also. We had also to consider whether, if we addressed ourselves to the Bank of England, there would be time to conclude the bargain. We knew that if we addressed ourselves to the Bank of England the Directors would have to meet and consider the proposal, and decide whether or not they could entertain it. If they could not have entertained it, where should we have been? It was a question whether the Bank would have taken the responsibility of conducting this unprecented transaction in a manner equally unprecedented, and in the manner most suitable for the attainment of the object. The question, therefore, is whether, by giving such an invitation to the Bank of England, we should not have run the risk of losing the object we desired. This is a matter on which I can only say that we acted with the best motives and the best intentions; and if we were wrong we must submit to any rebuke which Parliament may bestow upon us. We, however, believe that Parliament will approve and support what we have done. But this I will say—that our action was taken simply and solely because we believed it to be the only way in which, under the circumstances of the moment, we could secure the object at which we were aiming. Now, we are asked by the right hon. Gentleman the Member for the University of London whether, when we took this step, we really knew what we were about. Well, I hope we did. The right hon. Gentleman challenges me for not having been thoroughly honest in saying at the time we made the purchase, that we were pretty well acquainted with the circumstances as to the votes. He especially asks us—"Did you or did you not know that you would only have 10 votes by this purchase?" And he says—"You could not have known it, because the metropolitan Press the next day did not know it." But, Sir, there are cases in which the Government may know more even than the Press, and I can assure the Committee that I personally was perfectly well aware of the fact, and, not only so, but that I represented it to my Colleagues, and they were perfectly aware of it also. We had at that time in this country, as has been mentioned before, a gentleman who was thoroughly conversant with the condition and with all the circumstances of the Company. I refer to Colonel Stokes, with whom Lord Derby and I myself were in repeated communication during the week these negotiations were on foot, and of course it was our duty to make ourselves acquainted with all that Colonel Stokes could tell us on the subject. Now, this particular question—"Would the shares carry a proportionate number of votes?" was one of the questions that were put. Most distinctly we had before us the statutes of the Company, which showed that no shareholder could have more than 10 votes, and although, of course, there might be the possibility of breaking up our interest into a large number of faggot votes, yet we felt that we must look upon it as a purchase which would entitle us only to 10 votes. We were further informed as to the question that was raised whether the shares had any votes at all. But we were also advised that the better opinion was that the shares, though detached from the coupons, would carry such votes as properly belonged to them, and that was a very important consideration to us. The Committee will see the reason of that. It is said that it would be unreasonable that persons holding shares which were not receiving dividend should have a vote on the same footing as persons holding shares which were receiving dividend. On the other hand, it would be unreasonable to say that 176,000 shares should not be represented at all; and if they were not represented by people who held the shares without the coupons, by whom were they represented? Not by the people who had the coupons without the shares; for that had already been tried and decided; and it was perfectly clear, according to the decision of a French Court, that the holders of the *délégations* had not the votes. The Company have raised a question whether anybody has the votes; and that remains still to be tried. But I may observe, in passing, that in the communications which we have recently had with M. de Lesseps he has expressed his readiness to admit the right of these shares to have the votes. [An hon. MEMBER: The 10?] No; but that these shares should carry votes, notwithstanding the coupons being cut off. And what I wish the right hon. Gentleman to remember is that there are always two sides to this question. It was not only what we gained, but what we prevented. If we only gained 10 votes, we at all events prevented the creation of 700 or more by other people. It is all very well for the right hon. Gentleman to say that there would be no great harm in a certain additional number of other persons coming in; but I think a great change in the constitution of the Company, such as might have been expected by the sale of these shares, carrying 700 votes, to persons who might have got hold of them was not altogether a matter of indifference to us. My right hon. Friend the Member for Greenwich says—"You were very well as you were before. I do not say you were quite in a comfortable position, because the Foreign Office was worried; but, setting aside the misfortunes of the poor Foreign Office clerks, or even, occasionally, of the Foreign Secretary, you were on a footing that was fairly satisfactory. You had your fights, indeed, with the Company, but you had the Porte and the Khedive with you, and though M. de Lesseps might threaten as he pleased, you carried your points against him. Why, then, could you not let the matter alone?" Our answer, Sir, is that the matter would not let itself alone. The situation was changing, and changing not by our wish. Our wish was that the Khedive should retain his shares, and that things should go on as before; that the conclusions of the Conference at Constantinople should be carried into effect, and that matters should be satisfactorily carried on upon the old footing. But we found that that would no longer be the case. The right hon. Gentleman says—"How were you affected by the Khedive selling his shares? The Khedive told the Porte that it was not these shares which gave him his influence over the Canal. Why did you not buy 'the founder's shares' at 15 per cent, which the Khedive himself says would have given you a greater control than the others?" But what does he mean by saying that the control would have been "greater?" Greater than what? If it would have been greater, that very supposition implies that you must gain some control through acquiring the shares that you have obtained. The thing is palpable to everybody. The influence attaching to this transaction is not to be measured merely by the number of votes at command. Really it is not worth while, even out of respect to my right hon. Friend opposite, to argue so plain a proposition as that in possessing something like two-fifths of the shares you have more influence, and must have more influence, in the affairs of the Company than you had before. Why, look at what has occurred within even the very short time that has elapsed since this purchase. We have practically arranged for the admission of a certain number of our nominees into the administration of the Company. Why did we get that? How does it happen that M. de Lesseps is willing to give us that, unless it is that he finds that our new step has given us more influence than we had before? I do not like to put what may be thought invidious cases; I do not like to say what you might do; nor is it prudent or desirable that you should; but if my right hon. Friend would only consider how, if he were trying how he could exercise his influence, were he unscrupulous in the use of these shares, he would see very well how he could exercise an influence which the rest of the shareholders could not neglect. Is it not an advantage to the Canal Company that two-fifths of its shares should be solidly held by the British Government? And would it be no disadvantage to the Company if the British Government were to part with its shares and throw them on the market? In a case of this sort it may be said that shares weigh rather than count, and consequently there are many ways in which the influence we have and must have by the acquisition of the shares will tell. But what I look upon as much more important is, that we are put in a better position from a moral point of view in the arguments we may hold on this matter. Does my right hon. Friend not remember—for he appears to be very familiar with the correspondence—how, in the course of those controversies which preceded the Conference of Constantinople, the French Government put forward this view? They said—"We are bound to support the French shareholders, who made this Canal, against the English shipowners who use it." And though that argument was overruled for the time, is it quite certain that it would always be overruled? Is it not better that we should be able to say that we are not only customers and shipowners, but we hold a double position, having likewise a large property as shareholders in the Canal; and when we ask you to consider the interest of those who use the Canal, we are not speaking selfishly only, for we know that if sacrifices have to be made we can and must bear our fair share of them? It is said that there may be very heavy works to be constructed in connection with the Canal, and that claims will be made upon us on account of them. I do not know how that may be, but I do not believe it. I stated the other day, according to our best information, that it is not so probable as it seemed to be a short time ago that very heavy works will be necessary for the Canal. As it develops, I do not say that money may not be laid out to make it more available and more useful for shipping and for commerce. That may have to be considered and arranged hereafter. But I want to point out that this is not a matter that arises from your being the possessors of a certain number of shares. If works have to be carried out of an extensive character, as some imagine will be the case, although I do not, the Company may have to ask those who are interested in the Canal to assist, and then we shall be called upon. Therefore, we do not take upon ourselves any new responsibility; but if any further expenditure should really have to be incurred by the Company, we may have to bear our proportion of it. There now remains the mission of Mr. Cave, and what I have forborne to dwell upon, the part Messrs. Rothschild have taken in the transaction, for I do not know strictly what it has to do with the question. The right hon. Gentleman the Member for the University of London said that we ought to have added £37,000 for the interest which we have to pay to the Messrs. Rothschild. I confess I do not understand how that item could be included in the Vote, nor what we have, strictly speaking, to do with it. The arrangement with the Khedive was that from the moment that the purchase was effected, or that advances began to be made to him, he should begin to pay interest on the advances at the rate of 5 per cent; and the agreement with Messrs. Rothschild was that they should charge a commission of 2½ per cent upon the £4,000,000, and that they should receive the 5 per cent interest which the Khedive undertook to pay upon the amounts advanced from the date of the advance until the date of repayment by the British Government. Consequently, when we take the advances on ourselves —when we borrow or in any other way raise money for the purpose of recouping the Messrs. Rothschild, we step into their position. From that moment we become entitled to the 5 per cent the Khedive has promised. This is a very simple matter, and as far as I can see it is one which could not possibly have come under this Vote. The money will be paid by the Khedive, and it matters little whether it is to one person or to another.

Mr. LOWE: Messrs. Rothschild's bargain is that we should pay it, and it is their bargain rather than what is in the Treasury Minute that we should look to.

The CHANCELLOR of the EXCHEQUER: At all events, if we have to provide anything in the way of interest for Messrs. Rothschild, it will only be the same amount as we shall receive on the other hand from the Khedive; and I do not see that this Vote has anything to do with the arrangement. When we come to the final arrangement for raising the money and paying it, that will be a better time to discuss it than now. As to the other matter I referred to, the right hon. Gentleman was very merry over the proceedings in connection with the mission of my right hon. Friend Mr. Cave. He said that, according to the request made to us by the Khedive, all we need have done was to have sent out two young men, one from the Treasury and the other from the Inland Revenue Office; that we should have let them go out, and then—God bless them! Well, as I explained the other day, although that might seem a very simple step to take, yet it would have been giving a certain amount of British patronage to the financial administration of the Khedive. We could not but feel that any step of that sort—I mean sending out two clerks to assist the Khedive, not at his Board of Trade or in his Post Office, but in his finances—would be open to a construction which it was desirable to avoid, unless we knew what we were about. We felt, therefore, that we ought to do either more or less than he asked us—either to send nobody at all, which would have been somewhat unfriendly, or to inform ourselves fully as to the position of affairs, in order that we might send some one capable of doing what was needed. Accordingly, we sent out Mr. Cave, and I do not deny that in sending him out one of our objects was to learn for ourselves the position and true prospects of the finances of Egypt. We told the Khedive so, and he received Mr. Cave fully in that spirit, and with great friendliness and frankness. I do not want to enter into the subject of Mr. Cave's mission—that will be better discussed at another time. I merely wish to deny that we entered into the matter with the intention of surrounding our policy in Egypt with a great halo of glory. Our object, I repeat, was simply to see clearly what we were about, and to give what assistance we could to our friend the Khedive. For, after all, where is the limit to be drawn of the assistance that one nation may give in this way to another? If you advised a nation with regard to its policy—if you stepped forward and said, for instance—"You are entering upon an unwise or impolitic war," all the world would say you were taking a friendly step, and one that became a wise and friendly Power in regard to a less wise neighbour. Well, when you see a friendly country squandering its resources, when you see it engaged in financial courses which you know to be bad and which must lead to embarrassment; when you see that this embarrassment may, and probably will, affect not only that country, but European Powers—and I would here remind the House that Egypt lies on the highway of Europe to the East—when you recollect what advantage might be taken of the embarrassment of that country by some European Power, and how the peace of Europe might thereby be jeopardized, it is surely good policy to come forward and prevent that country from getting into difficulties. Therefore I say, even if there were more objections to be made to the details of this transaction, there are high political considerations to be kept in view which ought to carry it over any merely commercial criticisms. I do not look upon it as a business transaction; as a purely business transaction it is not justifiable. It would not have been becoming on our part to have speculated in shares, and that was one of the main reasons why we objected to purchase the 15 per cent of the Khedive. It was not necessary for our purpose to do so; we had already obtained our voice in the Canal, and to have purchased that 15 per cent — although, as my right hon. Friend says, they might have paid—did not appear to us to be a transaction worthy of this great country, or of the policy which we have been pursuing. That reminds me of another point which requires notice. I was asked—"Is your £200,000 to be treated as a primary charge on the revenues of Egypt?" My right hon. Friend who put the question gave an answer to it himself, with which I intimated my concurrence. It is not a primary charge. The reason why these words "primary charge" come in is this—The Khedive had sold his shares to us, and had charged the Revenue of Egypt with the payment to us of a certain annuity in respect of them. After that came proposals for parting with other property, and it was offered to us, for we were asked to purchase the 15 per cent which he is entitled to receive of the net profits of the Canal; and at the same time there were rumours—I am not sure they were not on the high authority of the metropolitan Press itself—to the effect that the Khedive was still further entertaining proposals of parting with other property; and what we wished to impress on him was—Do not part with the property, because, remember, we have a charge upon it; we have not, strictly speaking, a primary charge, but we have a prior charge upon the revenues of Egypt in respect of that £200,000. We cautioned him, in fact, against parting with property which was mortgaged to us, and that is the explanation of the words in question. I am sorry that I am unable to go more fully into the matter; but if there is any question which any hon. Gentleman may desire to put, the Government will be most happy to afford any information which they can. But I do hope that there is no doubt of what the general views of the Committee will be. They will look upon the matter as one which they have a perfect right to criticize; and if they should think that it is one in connection with which there are any particulars as to which the Government may be worthy of blame, let them not be restrained from attributing it; but I say that the course which we have pursued embodies a national policy, and I believe that it will be supported by this Committee.

Sir JOSEPH M'KENNA said, he desired to express his sense of the purchase by Her Majesty's Government of the Khedive's shares in the Suez Canal, and he hoped that many hon. Members unfettered by official responsibility in the past or the present would do so likewise. To his mind it was ignoring the real question and the true position of this case to discuss it as if it were analogous to the investment, speculative or otherwise, of a private person. He did not regard it, nor did he believe the public would regard it, in that light. They would regard it as an important act of State policy, one which the Government had undertaken for high political considerations. The subject was one which ought to be clearly discussed apart from ordinary Party considerations. It was an Imperial question, and one that bore upon the commercial interests of this country in the very highest degree. After all that had been said with respect to the case of this Canal, it was not his intention to recapitulate the circumstances connected with its construction. He must, however, again remind the Committee of the conduct of Her Majesty's Government in the days of Lord Palmerston, when the project of the Suez Canal was first mooted. At the time M. de Lesseps brought it under the notice of the English Government, his advances were repelled with coldness. He was not now about to cast censure, or even to make censorious reflections, upon the Government of Lord Palmerston. The right hon. Gentlemen and noble Lords who formed Her Majesty's Government at that time acted, he had no doubt, according to their lights, or perhaps he should rather refer their conduct to the obscurity in which the future lay veiled; but in these later days, with the experience that they had had, with the light of the blazing sun of Egypt glancing its evidence of the victory of M. de Lesseps all along the line from Port Said to Suez, should not their conduct be far different from what it was then? He asked what it was that they had to censure the Government for? The position of the Sovereign of England on this last occasion somewhat resembled that of the Roman Monarch who, having refused to pay a certain price for nine volumes, and then for six, finally paid the same price for three. Were they now to censure Her Majesty's Government because they had closed with this last offer, rather than allow the Sibyl to depart once more to destroy the volumes which remained? He would, however, deal with the subject apart from metaphor. It was asked by right hon. Gentlemen what security had they that the promissory notes for £200,000 a-year would be paid? He answered, not much greater security for the 19 years than the Khedive had given in regard to the fulfilment of his other engagements. But assuming he did not pay the £200,000 a-year, was it right that they should discuss at the present time what should be the measure to be adopted on such a contingency? Hon. Members should bear in mind that the Khedive of Egypt, as the Egyptian Government, was entitled to the reversion, after 93 years, of the Canal, and was not that a security to this country? For these reasons he believed that Her Majesty's Government were perfectly right in entering into the bargain, and he heartily supported the Vote.

Mr. BENETT-STANFORD said, he entirely concurred with the hon. Gentleman who had just sat down that the course pursued by Her Majesty's Government in the matter was a perfectly wise and proper one. It was a matter of some surprise to him that neither in the public Press nor in that House had there been any reference to the paramount importance of the Suez Canal to our Australian Colonies. The whole tenour of the debate was, that the Canal was the key to India; but no reference had been made to the vast interest the question had with regard to Australasia, the population of which might already be counted by millions, and which in 40 years would have a population equal to that of England. He hoped the Vote would be granted without a division—first because the country had shown its approval of the purchase; and secondly, because it was to be deprecated that foreign countries should think there was a division of opinion in Parliament as to the policy which had dictated the purchase of the shares.

Mr. NORWOOD said, the point of the debate which interested the commercial community of which he was the Representative, had reference to the influence which the Government might or might not acquire in the protection of British interests by the purchase of the Canal shares, and with regard to it he had not heard any sufficient answer or explanation. It was true that the Prime Minister, on the first night of the Session, and the Chancellor of the Exchequer more recently still, had instanced the importance of the purchase in that sense, when speaking of the action which the English Government was called upon to take with regard to the Canal in 1872. Now he, acting on the part of his constituency, as one of those who were on that occasion engaged in laying the views of the shipowners before the Foreign Office, had a perfect recollection of what then occurred, and he might be allowed to observe that when M. de Lesseps at the time challenged the tonnage on which the dues had been previously paid, and maintained the right of the Company to make changes materially affecting British shipping, the Foreign Office, urged by the shipowners, applied not to the Khedive, but directly to Constantinople, and called upon the Porte to give an authoritative explanation as to the meaning of the concession which had been given. The result of that application was that an international Conference was held at Constantinople, at which the proposals of M. de Lesseps were discussed, and the decision was in favour of the Maritime Powers, among whom we took the lead, as against M. de Lesseps on the part of the Company. The Khedive, he might add, marched a considerable force of men to carry into effect the decision then arrived at; nor was it of his own motion, but in consequence of direct orders from Constantinople that he took that step. Well, that being so, what was our position now that those Canal shares had been purchased by the Government? Had we greater power than before to interfere on behalf of British mercantile interests as regarded concessions with regard to rates? For his own part he was rather disposed to think that the reverse would be the case. Hitherto when any complication or difficulty arose, our Government having no personal interest in the Canal were able to interfere on international grounds with effect, and to carry their point. But now we should be placed in a position of having a pecuniary interest in the Canal, although that interest was not immediate, for 19 years must elapse before we came into full possession of the shares which had been purchased. That being so, any attempt which we might make to improve the Canal, or to reduce the dues, would be met with the unanswerable argument that it was all very well for us to urge on expenditure which might benefit us 19 years hence, leaving the present shareholders to bear all the loss in the meantime. He must, therefore, maintain that the Government would be now less eager than ever to take up the cudgels on behalf of the mercantile interests. There were two important points, it appeared to him, upon which great doubt rested—the first was the rights to which we should be entitled by the purchase of these shares; the second was to what extent we should be called upon to contribute to future expenditure for the improvement of the Canal. On both points the partnership interest appeared to him to be very unsatisfactory, and he must remark that the maritime and mercantile community had not called upon the Government to interfere. There must be a large outlay to improve the Canal, and upon works requisite to its efficiency. The right hon. Gentleman the Chancellor of the Exchequer, indeed, appeared to be confident that no large outlay would be required in connection with the Canal, but there were, he (Mr. Norwood) believed, great engineering difficulties anticipated with respect to the Port Said mouth, which had been described as a harbour against nature. The entrance to that harbour had a decided tendency to silt up, and it would require the outlay of a large sum to keep it open. Then we ought to divest our minds of the idea that the outlay would be confined to the £4,000,000 we were now about to pay. His belief was that, before very long, we should be called upon to contribute a considerable sum of money out of the British Exchequer to keep the Canal in order. If a large vessel were sunk, either maliciously or accidentally, in the Canal, it might close the traffic for many weeks. The Sovereign Powers in regard to the Canal would, under any circumstances, be the Khedive and the Sultan, and those persons who talked about the purchase of the shares insuring the passage to our Indian possessions ought to bear in mind that without the consent of those Sovereigns, we could never convey armed ships or troops through the Canal, not even, if he were correctly informed, in time of peace. The concessions hitherto made by both applied only to merchant ships in time of peace. There was no right to demand a passage for a man-of-war, and this would certainly be a danger in time of war. If there happened to be a European war, Englishmen would never send their ships and their produce through the Canal; for to enable the Government to protect them it would be necessary that they should have perfect command of the Mediterranean, the Red Sea, and of the Canal. In speaking of the importance of the Canal, hon. Members had left out of sight the fact that the overland traffic for passengers by rail from Alexandria to Suez existed, and that the route to India by way of the Cape was always open to us. To assert, therefore, that we were really dependent on the Suez Canal for our communication with India was a very considerable exaggeration. The distance to Calcutta was only 3,500 miles further round the Cape than. it was through the Canal, and the difference of time in conveying troops to India by full-powered steamers would only be 14 or 15 days. As to the alleged importance of the Canal with reference to our Australian Colonies, he need only remark that no steamers went through the Canal to Australia, while sailing vessels, he believed, never used the Canal at all. In his judgment the importance of the purchase had been very much overrated. Reference had been made to the policy of Lord Palmerston in opposing the Canal, but, although that statesman was undoubtedly wrong in professing that the Canal could not be made, yet he was right in his estimate that it would be injurious to English commerce, or rather that it would be of considerably greater advantage to foreign than to British commerce. Formerly, the commerce of India and China came to this country, which supplied other nations but that state of things was altered now. The route by the Canal had thrown open speedy communication with the great Mediterranean ports, and the result was that a vast amount of produce which was formerly brought in British bottoms to our ports, and was then re-shipped to Continental markets, was now carried direct to Odessa, Trieste, Genoa, and Marseilles, to the detriment of the shipping and mercantile interests of this country. The purchase of the shares would, he feared, involve us in many complications; it would lead to great international questions being raised, and it would fail to advance one iota the commercial interests of this country.

Sir HENRY HOLLAND said, he wished to direct a few remarks to the position of the Government and the country as holders of shares in a foreign company. The subject was a dry one, no doubt, but it was certainly one of importance in the consideration of the case. On the one hand there was an Egyptian Company, as appeared by the terms of the Concession and the Statutes, and accordingly it was governed by the laws and usages of Egypt. In this Egyptian Company the British Government had certificates of a large number of shares, and the question was as to the rights we were entitled to as holders of those shares. It was true we had no right, as we had no desire, to interfere in the affairs of Egypt; but there could be no doubt that the possession of the shares gave us a right to advise the Khedive on all matters affecting directly the interests of the Canal, and likewise on questions which might arise between Egypt and foreign Governments in reference to the Canal. One point on which we might advantageously advise the Khedive would be as to the appointment of a new Director of the Canal when M. de Lesseps' term of office expired. It was clear that the rights of the British Government were not confined to the receipt of dividends, and he might here point out that Article 20 of the Statutes had hardly been referred to sufficiently for the purpose of showing what were our rights and obligations. Among the rights was clearly the right to vote. He did not know whether the counsel for the Company adhered strongly to their opinion, but when they were informed of the contrary opinion given by the counsel for the Khedive, they agreed to the compromise that the Khedive should temporarily have a right to vote. This fact appeared at Page 43 of the Papers presented to the House, and therefore the right hon. Gentleman the Member for the University of London must have been perfectly well aware of it. There could be no doubt that the British Government had only a right to 10 votes, but he could see nothing in the Statutes and Concessions which would prevent the Government in a great crisis from distributing these shares, and thus securing, he would not say an overwhelming, but a certain large proportion of votes. He did not, however, wish to press this course, which, politically, would be a wrong course to take. He should prefer to see two or three persons of known ability and judgment, like Colonel Stokes, qualified by the possession of shares, to represent the British Government at the general meetings or upon the Council. He should also prefer that they should not vote, but that it should be understood that their opinions and advice were sanctioned and supported by the British Government. In this way we should gain more direct and legitimate influence than by the creation of new votes. In another way we could exercise considerable influence. In the event of new Statutes being made, the assent of the Khedive had to be obtained before they could be carried into execution. Now, the British Government might fail in the attempt to get their views adopted at the general meetings, but it would be a legitimate exercise of our influence to press our views upon the Khedive in the case he had supposed. As to the liability upon the shares, it was limited by the amount of share capital, and all the shares were fully paid up. He saw no objection to the arbitration provided under the Concession and the Statutes, with an appeal to the Superior Court of Paris, or that it was a tribunal with which this country could find fault. It appeared to him that this transaction left our relations with foreign States unaltered. In the event of any change in the tonnage dues injurious to the interests of any foreign State, its remedy would be against the Company; and if remonstrances were made to the Khedive or the Porte, the political situation, as far as our Representatives were concerned, would be precisely the same as now. He confessed, however, he should be glad to see that, in accordance with the views of the Board of Trade in the case of the Mouths of the Danube, which were placed under an International Commission—the influence gained by this country might be exerted to bring about a similar state of things with regard to the Suez Canal, and he hailed the step taken by the Government as a step towards that end. No doubt the step was a novel one, and might give rise to some difficulties and complications; but he rejoiced that the Government were not deterred either by the novelty of the position or by the fear of complications from taking a course which had not been suggested by a selfish desire to promote the interests or the commerce of this country, but with the view to keep open the great line of communication between England, India, and the Australian Colonies, and in the interests of the world at large—a course which, he believed, the country had distinctly affirmed, and which he trusted the House would sanction.

MR. ROEBUCK said, that in 1858 he asked the House to deprecate any influence being used on the part of England which would put any stop to the formation of the Suez Canal. M. de Lesseps, with great courage and daring, and with great genius, brought forward a scheme to carry a canal through the Isthmus, thereby rendering mankind better able to communicate between one part of the globe and the other. At that time Lord Palmerston had great power; and, unhappily for England, that noble Lord had two remarkable crazes. If you mentioned the name of the Empire of Brazil before him, it was like putting a red rag before a mad bull. He got up in a moment, and fiercely attacked the Member who ventured to mention the subject in favourable terms, and did all he could to disparage the subject. So with the Suez Canal. He possessed himself with the delusion—for he had many of the prejudices and narrow-mindedness of Englishmen—that the Suez Canal would—God knew why—damage the commerce and interests of England. The House of Commons at that time coincided with Lord Palmerston. Among the small minority who voted with him (Mr. Roebuck) on the occasion to which he had just alluded was the right hon. Gentleman the Member for Greenwich, and among those who formed the great majority that voted against him was the present Prime Minister. But such, however, was the whirligig of time that now he found himself supporting the conduct of the Prime Minister with respect to the Suez Canal, and opposed to all the argumentation—such as it was—of the right hon. Gentleman the Member for Greenwich. It appeared to him at the time of which he was speaking, and he thought experience had proved him to have been correct, that English commerce would, of all the commerce in the world, be most benefited by the construction of the Canal. As a matter of fact, he believed that of the vessels that passed through the Canal 75 per cent were English. They were told that other nations took advantage of the Canal to convey the products of various parts of the world to their own countries, and that thus the commercial interests of England were injured. This, it appeared to him, was to take a very narrow view of the commerce of the world and of the question in what consisted the advantages of commerce. Could it do any harm to England if Italy spent a portion of her capital in buying the produce of our Indian Empire or of China, and then took it home to Italy by way of the Suez Canal? It might be said that the goods might have been bought with English capital, but it was a fact that English capital was at present fully employed, and he could see nothing in the argument to which he had alluded to show any reason why Italian capital should not also be employed in the same line of business. He had been astonished, and more than astonished on that occasion by the class and manner of the argumentation which had been used in the speeches delivered on the question from the front Opposition bench. He thought he was coming down to hear great statesmen talk upon a great question of statesmanship, and that he was about to hear men of great knowledge, experience, and power point out how this purchase was likely to prove of great advantage or injury to England; but when he listened to the speech of the right hon. Gentleman the Member for the University of London, he thought that he was listening to the speech of an Old Bailey lawyer, raising on a great question of finance small points as to interest and capital. Further, when the great interests of England were concerned, he was told that upon this question of £4,000,000 the Canal might have been bought for less. This was the manner in which a great question was handled. Suppose England had paid rather more, perhaps, than any other purchaser would have paid; and supposing that for the next 19 years they had no interest in the Canal, he would ask what were 19 years in the history of a people? They had bought something which would last for 99 or 100 years, and though 19 of those years might not be so advantageous as the other part of the 100, it appeared to him that they had still bought a most important property, and it was not consistent either with dignity or the interest of England to haggle about the price that had been paid for it. It must be remembered that this was a remarkable incident. Parliament was not on the present occasion dealing with an ordinary case. The question on the part of the Khedive was—" Will you buy? I cannot give you time; I want the money and I want it at once." The Government were told they ought not to have entered upon the transaction without the sanction of Parliament; but he, on the other hand, gave very great praise to the Government, for they, having confidence in Parliament, had the sagacity to discover the real interest of England and the courage to act up to it. They took advantage of the occasion, and did not take advantage of the necessities of the Khedive to drive a hard bargain with him. They acted as the great Representatives of a great people in giving the Khedive a fair price for his property—a price that had been offered before—and then adopting the most advantageous means of obtaining the money. He was told that this was unconstitutional. Perhaps it might—though the word conveyed very little meaning to him—be unconstitutional for the Prime Minister of England, having confidence in his cause, believing that the House of Commons would agree with him, and finding a sagacious merchant in the City of London believing in him, and ready to employ four millions of money in the purchase, to have gone on with the transaction; but to his mind the Prime Minister who would have taken any other course would have been a coward and unfit for the position which he held. He therefore wished to look for a moment at what had been done, why it was done, and to ask what would have been the result if it had not been done? What was done was, that the Khedive having wisely or unwisely brought himself into financial difficulty wanted money at once. He had in his hands a great security which it was for the advantage of the world that it should continue as it was. He brought this security upon the market, and the question was, whether the English Government should take advantage of the opportunity afforded to them, and by buying the property establish themselves as partners in a great concern, or whether they should leave it alone. The Government decided the question in the affirmative, but Parliament had been told that they gained no interest by so doing. He could not believe that the man who used that argument believed it. What had happened even that day? Could it be contended that the interest and power of England in Egypt had not already been increased by the bargain which had been made? Let them, however, go one step further and ask what great complications were now darkening the political horizon of the world. Did anybody believe that Turkey or Egypt would remain what they were? Would it not have been matter of great lamentation for England to find that Turkey had broken down; that Egypt had lost a great portion of her power, and that there existed a cabal sufficiently strong to close the Canal against the passage of English ships. Therefore he said that the Government took advantage of a great opportunity. When he was told that only 13 or 14 days were saved in a voyage to India by means of the Canal, he could only suppose that a man making such a statement possessed very little commercial knowledge. Thirteen or fourteen days involved a turn in the market, and this in its turn meant a great deal to commercial men. They knew that attempts had been made to run clippers to Australia and America, and that danger to life and property had been incurred in the endeavour to shorten the journey to America by a single day. Was he to be told then that English merchants were wrong in endeavouring to save a single day between this country and America, and that a difference of a fortnight, more or less, in a journey from this country to India was a matter of no importance? If Her Majesty's Government had not taken advantage of the opportunity afforded to them, the Khedive would have sold his shares not to one person or Government, but to many thousands of purchasers, and the difficulty with which England would have had to contend would have increased a hundred-fold. They would not have been able to trust for a month or six weeks upon what might happen, and British commerce would have been hindered, frittered away, and hampered by such a state of things. English commerce would have been driven again to take the old course round the Cape of Good Hope, instead of the new one, which had rendered so much more easy and certain the conveyance of British commerce to India. Looking at the question in a broad light, and speaking of it in these few words, he held himself justified in saying—for he was of no party, and never had been—that in his belief, and in the belief of the country, Her Majesty's Government, dealing with the question as Englishmen and Ministers ought to have done, had taken a step which, whatever their future course might be, and for however long or short a period their tenure of office might continue, would always cause the world to recollect the name of him who was at the head of the Government when this purchase was initiated and carried through Parliament.

MR. LEVESON-GOWER said, the hon. and learned Gentleman who had just spoken (Mr. Roebuck) assumed that in consequence of the step which the Government had taken, England had virtually got possession of the Canal—a statement which he (Mr. Leveson-Gower) completely denied. As a matter of fact, England had no rights of property in the Canal. All she had bought was a right to share in the earnings of the Canal 19 years hence, without any share at all in the control of the undertaking. This was all, with regard to which the hon. and learned Gentleman said it was a miserable proceeding to object to the price which had to be paid. For himself, he could only say that if the purchase were attended with all the advantages claimed for it, he for one would not haggle about price, nor would he even blame the Government if they gave for the shares even more than they were worth. But in his opinion, when a large sum of money like this was spent it was the duty of the House of Commons to inquire a little into what that expenditure had been. This was not merely a question of pounds, shillings, and pence; there was a principle lying above it. The Government, as had been well said, had engaged in two transaction. The right hon. Gentleman the Chancellor of the Exchequer sought to show that the two transactions were really one, when he said that when a boy bought a knife he bought the blade and the handle, and that the two formed the knife. That was true, but the two transactions in which the Government had engaged were perfectly distinct. They had bought shares and they had bought an annuity from the Khedive, and they might have done either without doing the other. Again, the right hon. Gentleman had said, that the property was purchased below its value. Was that so? It was stated that the French Company had offered the Khedive close on £4,000,000 for the shares, but he had seem it declared in a French journal that the sum was £3,500,000. But the value of the shares which were upon the open market was easily ascertainable. At the price of the day when they were purchased, £28 a-share, was £4,928,000; but from that sum must be deducted the value of the coupons (£2,880,000), which would leave the shares to be worth a little over £2,000,000. It came then to this, that we had made a loan to Egypt at about 7 per cent. No doubt the Khedive deserved well at the hands of England. He had given largely, not perhaps wisely, but certainly generously, towards the formation of a Canal from which England derived great benefit. It was very desirable that good relations should contine to exist between this country and Egypt; but he feared the relationship of debtor and creditor was not calculated to maintain a good and friendly feeling. Then on the subject of the control we obtained by the purchase, he could only say that he did not think it was at all desirable that the Government of England should become a member of a company of private individuals, or become liable to be summoned before a tribunal of law at the instance of foreigners. But as to control, we had none—for 10 votes were no more valuable than no vote at all would be. Control was the only excuse that could be offered for the step taken by the Government, and that excuse failed the Government; for as they had stated that evening, they were aware of the fact when they concluded the transaction. He did not regard the question in a Party spirit, and should rejoice if the course adopted by Her Majesty's Government should tend to the advantage of the country.

Lord GEORGE HAMILTON said, he desired to say a few words on this subject, as it was one in which the administrative and commercial interests of India were deeply concerned. He regretted to hear the speech which had been delivered by the right hon. Gentleman the Member for the University of London (Mr. Lowe). It was a speech of a peculiar character, and reminded him of the financial policy of the right hon. Gentleman, which was penny wise and pound foolish. The right hon. Gentleman enlarged upon the cost of every penny to be expended, but deliberately ignored every pound that was to be gained. He had, however, no fault to find with the concluding sentences of the right hon. Gentleman. He made grave charges against Her Majesty's Government. They were incredibly ignorant—they were unaccountably careless. The right hon. Gentleman, however, did not adduce any evidence in support of those charges, and candidly stated that if he had not substantiated the charges he made—which he had not—then he withdrew them. But the right hon. Gentleman who followed him made a speech of a very different character, but there seemed to him to be this fallacy underlying the whole of his speech—he argued it as an abstract question. Now, the question before the House was not an abstract question. It was this—were the Government justified in buying the

Khedive's shares, when, if they did not do so, a French Company would? The right hon. Gentleman the Member for Greenwich, in moving the Adjournment on a former night, had given as a reason that he was anxious to read the Papers carefully. He had, however—of course, unintentionally—based his argument to-night on a mis-statement which the Papers conclusively disproved. Those Papers showed that the most serious complications had arisen between those who owned and those who used the Canal, and they set forth the origin of those complications and pointed to the remedies. The right hon. Gentleman asserted that the condition of affairs previous to the purchase was not a bad state of affairs. The Board of Trade, however, pointed out that the complications and differences would be endless as long as the Canal remained in the hands of a private company, and that the remedy was to impart a national character to the undertaking. The Duke of Argyll had also remarked upon the fact that it would be an advantage to British interests to have the Suez Canal in the hands of England rather than of France. Had not something of a national character been imparted to the Canal by the purchase by the British Government of an interest which would otherwise have fallen into the hands of French bankers and merchants? The hon. Member who had just spoken (Mr. Leveson-Gower) had ignored two or three considerations. When the purchase was proposed, the first question that arose was what advantage we should derive from the purchase, and, if we had to borrow money, at what rate we should borrow it? The answer to these questions showed that the Canal was more valuable to us than to anyone else, and that we could borrow money cheaper than anyone else. If the French Company could have borrowed an unlimited sum at 4 per cent the House might be very confident that the Government would not have got these shares. Would anyone tell him what the value of our coupons would be 19 years hence? They were £20 shares, and they now stood at a premium of £8. What made them now worth £28? Because they were entitled to a dividend they never had earned before. Mr. Reilly had stated in the Papers the primary charges on the revenues of the Canal, which were the interest on the sinking fund and the loans, and then 5 per cent upon the capital. After that the whole of the proceeds were to be divided as follows:—The Khedive was to be entitled to 15 per cent; and the right hon. Gentleman the Member for Greenwich was very anxious to know why the Government did not buy those shares. The promoters were entitled to 10 per cent; then came 2 per cent for administration, and there remained for the shareholders 71 per cent. The Government held 44 per cent of the total shares in the Company, and our proportion of the dividend would, therefore, be upwards of 31 per cent 19 years hence. And yet the right hon. Gentleman asked why the Government had not taken shares which were only entitled to 15 per cent, and which would be of no value until 10 years hence? Now, what was the price of these shares at 10 per cent? The promoters' shares were 1,000 in number, and each of them stood at present at the price of £567. Therefore, the promoters' shares in the aggregate were worth £567,000, while the value of our dividend as it stood was £1,700,000. Although he would not indulge in the spirit of prophecy, yet if the earth retained its present shape, and if the Suez Canal continued to be the means of communication between the Red Sea and the Mediterranean, the value of our dividend alone, apart from the interest upon our shares, would be worth more, 19 years hence, than the £4,000,000 we had given for it. If the revenue only increased 2½ per cent, that would be the result; and the Government had not, therefore, in his opinion, made a bad bargain. The right hon. Gentleman the Member for Greenwich apprehended that Egypt would not pay the 5 per cent. Assuming, for the sake of argument, that the Khedive was unable to pay, and if a French Company had bought the Canal it was clear that he would not be able to pay the 10 per cent, what would our position then be? The whole of the shares would be in the hands of France, and complications between those who used and those who controlled the Canal would again ensue. Those differences would have to be settled by the intervention of the Khedive or the Sultan. The Sultan might have other business on hand, and the Khedive would be in the hands of his French creditors, and to whom should we then look? The Government had been asked whether this purchase had anything to do with the Eastern Question. It seemed to him that it had satisfactorily settled what might be a very serious Western question. The relations between England and France had never been more amicable than at the present moment; but if the whole of the shares of the Canal had been in the hands of the French, while the persons who used the Canal were mainly English, what would have been the result? It had been stated in the Papers laid upon the Table that the British Government would take its stand on the interests of its navigation, which contributed the great proportion of the shipping, while the French Government, on the other hand, could not be indifferent to the interests of the French shareholders. Any such complications which would probably have arisen had been averted by the action of Her Majesty's Government. When the Members of the present Government were in Opposition, they were frequently told that they ought to be guided by public opinion. Now, if ever there was a question on which public opinion was unanimous, it was the present. The people of these Islands were practically unanimous. Foreign nations did not object; and the people of India, so far as he knew, were equally in favour of the purchase. M. de Lesseps was also favourable to it, and no one opposed it except certain right hon. Gentlemen on the front Opposition bench. Although some of their criticisms were fair, yet there was a latent hostility underlying those criticisms which would very soon develop into open attack if these right hon. Gentlemen could get any support from the hon. Members behind them. He felt bound to say that the Liberal Party had evidently come to a conclusion on this matter in accordance with what the right hon. Gentleman described as "the inflammatory approval of the metropolitan Press." With regard to the advantages of the Suez Canal to our trade with India, he had been surprised to hear the hon. Member for Hull (Mr. Norwood) assert that the time gained was only 14 or 15 days. [Mr. Norwood: I spoke of a steamer.] He (Lord George Hamilton) was under the impression that the difference was between four and ten weeks; and that was, he believed, the opinion of the great majority of persons. [Mr. Norwood: The distance is 3,500 miles.] He could not better illustrate the importance of the Suez Canal to India than by stating that a Bombay merchant recently sent home a large quantity of raw cotton through the Canal. This cotton was manufactured into cloth and returned 70 days after it had left Bombay. If the Suez Canal were closed it would cause a strain on our Indian finances which it would be very difficult to meet. One point had not been noticed, and it was that at least this transaction did not furnish another illustration of the alleged tendency on the part of the English Government to relieve the English Estimates at the expense of the Indian Revenue. If there was a charge to which the Indian Revenue might have been called upon to contribute, it was the purchase of these shares; and if any such request had been made, it would have been cheerfully acquiesced in; but the Government acted in a wiser spirit, and proposed to place no portion of this charge upon the Revenue of India. The purchase told the world that if in the past we had ignored the advantages of the Canal, we had amply condoned for our error, and by this judicious investment in an enterprize which French skill and energy alone had made successful, we had formed a happy combination which would do much towards securing a free and uninterrupted water way between this country and India.

Sir GEORGE CAMPBELL said, he would say very little as regarded the Canal shares pure and simple. A great deal might be said for and against the purchase; but the thing had been done, the nation had accepted it, and they could not go back. In fact, he for one should be sorry to put any difficulty in the way. But there was another view which had not been touched upon. He observed that when the right hon. Gentleman the Chancellor of the Exchequer spoke to-night he touched with extreme reserve upon the question as to how they were to get the £200,000. On a former occasion he said he was coming to that subject, but he never did so, and that evening he had only touched very lightly upon it. Even should it be a loss to us, he (Sir George Campbell) should not consider it a fatal argument against the bargain. If the Government had told them the money was paid, and they might or might not get the £200,000, he should not now put in his word. But the point to which he wished to draw attention was this—that that was the course which the Government had not chosen to take. They had preferred to ostentatiously make this matter a separate account, and they made their credit dependent upon the realization of the money from the Khedive, so that they had identified themselves with the credit of the Khedive, and if that failed they would be discredited. Allusion had been made to the Report of Mr. Cave, who had emitted certain platitudes, but they afforded no solution as to where we were to get the £200,000 from. If the Khedive reformed his financial administration, then it was believed he might meet all his engagements; but he (Sir George Campbell) confessed that this was a subject with regard to which he had the greatest doubt. He not only doubted that it was possible for an extreme financial reform like this to be achieved at once, but he doubted whether the matter had not gone so far already that the credit of the Khedive could not be saved by any reform at all. Let them look at the matter as one of account. Mr. Cave was no doubt a very able and respectable Gentleman, but he had no special knowledge of Oriental finance which would enable him to tell them with confidence that the Khedive was in a position to set his finances right. Now, according to an authoritative statement which had been put forth and never contradicted, the revenue account of the Khedive amounted to £10,542,000, of which £6,300,000 was set apart for the interest of the Debt, and £688,000 for the tribute to the Sultan. These sums, amounting to £7,032,000, left £3,510,000. But of this £3,510,000, two-thirds was not revenue, but land revenue which had been capitalized, and in respect of which the payments would cease in six years from their commencement. This deduction left but £1,149,000, which could not be sufficient for the ordinary administration of the country. As to the sinking fund which had been talked of, it was notorious that the Debt was increased faster than it was reduced. Now, if India was to do a thing of that kind, they would not say she was in a very solvent condition; in fact, they would say that she was verging on bankruptcy. He knew something of Oriental finance, and he must say he totally disbelieved in a very rapid increase in the revenues of Egypt. On the contrary, he thought those revenues had been stretched to the utmost, and they were enormous for such a country. No doubt very great works had been carried out principally in Said Pacha's time before these debts were incurred, and Egypt had largely benefited by the cotton famine, the same as India did; but these resources had been made the most of, and he did not believe that they could be carried further. Some taxes were now being kept up in Egypt which had long since been abandoned in India. The serious view of this matter was that the Government having identified themselves with the credit of the Khedive, he would be bound to raise the revenue to meet his engagements, and the result of that would be that a terribly-increased pressure would be brought to bear against the already unhappy ryots of Egypt. It was already stated that the Khedive had devised a new tax—the poll tax. If that was true, he could only look upon it as the beginning of the end, for in the East a poll tax had never been added to a land tax, and he did not think both could be raised in Egypt. Let us take our chance, but not allow ourselves to become a cause of oppression, and a source of stock-jobbing and intrigue. He had rejoiced to hear the First Lord of the Treasury declare that the purchase was not with a view to war, but some hints seemed to point to the possibility of war. The right hon. Gentleman said we were a great Mediterranean Power, and a great Asiatic Power, maintaining a chain of fortresses from England to India. The distance between the two countries was upwards of 6,000 miles, and as the fortresses were only three—Gibraltar, Malta, and Aden—the average distance between them was 2,000 miles. That was rather a loose kind of chain. The right hon. Gentleman seemed to hint that the Canal might become another link; but it was very doubtful whether in case of war we could carry on our commerce by the aid of such a chain of fortresses through the Mediterranean.

COLONEL BERESFORD said, that at the beginning of last Session he ventured to state his apprehension that foreign affairs were depicted in Her Majesty's gracious Speech with a somewhat too rose-coloured a pencil—that though the different Governments might, and with truth, express their good feeling towards us, still, that among themselves, the relations of the Continental Powers were by no means of so assuring and placid a character. When he thus gave expression to his misgivings, he little thought that so short a time would so amply confirm them. Scarce a twelvemonth had passed away, and how did Europe stand now? Why, upon the magazine of a charged mine, which might be fired at any moment by the passion or caprice of one or two tribes of semi-barbarous mountaineers; and they might be assured that, when this mine did explode, it would topple over one, if not two, of the most extensive Empires in the commonwealth of nations. It was in view of such a catastrophe that he hailed with joy the bold and sagacious action taken by Her Majesty's Ministers in the matter of the Suez Canal. He hailed this action of the Government not so much on account of any commercial advantages—though they were beyond price—but because it announced to the world that we would not allow the affairs of the East to be arranged to our detriment—that we would not suffer the portals of Asia to be closed against us, and last, but greatest, that no European military Power should post itself between us and the mighty dominions, both foreign and English, which we held in India and Australasia. He felt confident that Englishmen of all classes would rejoice that the Conservative Government, which two years ago was returned by acclamation to supersede a Cabinet as timorous in its foreign policy as it was aggressive and dangerous amongst ourselves and our valued institutions, was taking an attitude in foreign affairs which would make the honour and influence of England felt throughout the civilized world. It was for these reasons that the people of England received the intelligence of what had been done with unanimous approval—the hon. Gentlemen the Members for Hackney excepted—and the manner of effecting it had been worthy of the measure itself. We had given no just cause of offence to anyone. We had no sinister motives. Our possessions were abundant, and we coveted no man's gold, silver, or lands; and with our goodwill there should be no war. Nevertheless, the times looked ominous, and an anecdote occurred to him regarding this very land of Egypt, which might not be without its significance. At Ashraf, Kait Bey, the famous Circassian Sultan of the Mamelukes, when told that Tamerlane—who had just overthrown the Ottoman Turks and taken the Sultan Bazezid prisoner, intended to invade Egypt, said—"I don't care two aspers for the Kipchach cripple; let him come and entangle his hordes amongst the branches and canal of the Nile, and I and my Mamelukes will soon give a good account of them. I don't fear him, but I will tell you whom I do fear. It is those who will come by sea, and bring a heavy artillery with them." This hint might not be without its use in the proximate future of that country.

Mr. MITCHELL HENRY said, he held that the policy of purchasing these shares was one question, and the way in which the money was obtained for that purchase was another. He did not think the attention of the Committee had been sufficiently directed to the latter point, and on that he wished to say a few words. With reference to the purchase of the shares it was impossible to get up any real debate. The country itself had never debated the question—it was a matter of feeling, not of judgment. He did not suppose that many of the newspapers had ever considered into what complications we might eventually be thrown in consequence of this purchase. Even the warning voice of the late Prime Minister had failed to produce its usual effect in warning the House. The mode in which the money had been provided for meeting this purchase was, he thought, discreditable to the country. If the Government required to raise £1,000,000—and that was all that was required in the first instance — they ought to have taken the Governor, Deputy Governor, and Directors of the Bank of England into council, and, instead of paying 2½ per cent commission, there would have been no difficulty in obtaining the sum from the Bank of England and the other banks of London, without any commission whatever. At that very time money was lent to the Bank of England by Joint Stock Banks for 1¼ per cent, and that the word commission should be mentioned at all in these days in connection with the financial transactions of the nation was in the highest degree distasteful and humiliating. There would have been ample time between the payment of £1,000,000 and the necessity for providing the remainder of the money to call Parliament together; and if Parliament had ratified the bargain, the other part of the money would have been granted in the regular Constitutional way. It would not redound to the reputation of England, when this question of the purchase of the Khedive's shares had lost some of the false glare which at present surrounded and obscured it, to find, as all would then admitted, that no necessity whatever existed for England having to raise money at the same rate as Egypt herself was compelled to pay for loans.

MR. LAING said, he did not approve the commission, not because of its amount, but because it was paid by the wrong party—the British Government, instead of the Khedive. Of course, the Government could have gone to the Bank of England and borrowed the money at 4 per cent, or thereabouts, without any commission; but the essence of this transaction was that there was a certain element of risk in it; the Government were not in a position to do it directly, and they probably ascertained that the Bank was not in a condition to advance the money. But his chief reason for rising now was that he was one of those who many years ago supported the hon. and learned Member for Sheffield (Mr. Roebuck) when he endeavoured to show that the influence of England ought not to be exerted against the Suez Canal. He felt strongly now, as then, that the English Government never made a greater mistake than in opposing that great international improvement, in which, if completed, she was sure to have the largest share. He therefore heartily approved the action of the Government in purchasing those shares. He was anxious it should be felt that, notwithstanding some microscopic criticism, the country at large, and the Liberal Party in general, had not in the slightest degree altered the opinion at first entertained on the question, but deliberately approved of the measure. It was impossible to look at this as merely a little Vestry question—a question of purchasing the tolls over a bridge or at a toll-bar. It was impossible, also, to take an isolated view of the matter. When Her Majesty's Government joined in recommending Count Andrassy's Note to the Porte, that was a policy entirely different from the policy acted upon in former years. The financial difficulties of Turkey led to the financial crisis of Egypt, and that obliged the Khedive to hawk about his shares. A French Company was on the point of purchasing them, and Her Majesty's Government had to decide promptly on the line of policy it would adopt. The main reason why the people of this country hailed with such unanimous approval the first announcement of the purchase of the shares was because they saw in it a pledge that we had broken finally with our old policy on the Eastern Question, and that we recognized the fact that, in preserving our communication with India, our great and paramount interest lay in Egypt rather than in Turkey. It was breaking with that old and detestable policy which consisted in bolstering up that barbarous Power, Turkey, whether right or wrong, whether against foreign aggression or legitimate internal discontent. It was our old policy to secure a way across the Isthmus by influencing Turkey rather than Egypt. The country would hear with delight that we were no longer going to act upon the principle of supporting Turkey at all hazards, and that we had transferred the centre of gravity of our political action in the East from Constantinople to Cairo. The country had approved of the purchase, and was glad to find that under the present Government England was prepared to take her stand firmly and to rely upon herself in Eastern matters. The right hon. Gentleman the Member for Greenwich had sneered at the action of the Government as being a spirited policy that always met with the approbation of the Press which delighted in complications. [Mr. GLADSTONE dissented.] Well, if the right hon. Gentleman had not said so, somebody else had. He entirely approved the principle of non-intervention if it meant that England should not mix herself up in every petty diplomatic squabble that occurred on the Continent, and that she should not assert that she was in the right when she knew that she was in the wrong, and that she should not humiliate herself by interfering and preaching to foreign nations when she was not prepared to back her opinion by arms, as she had done in the cases of Poland and Denmark. The policy of non-intervention had been pushed to an extreme by those who had either an abhorrence of war or were in favour of a rigid economy in the finances, and had led foreign nations to believe that we intended to withdraw altogether from taking part in Continental affairs, because we were separated from the Continent by "the little silver streak." Such a view was contrary to the feeling of the nation, which was willing to back its real interests by arms and by treasure. The step, therefore, taken by the Government had been a timely one, inasmuch as it removed any such impression. At the same time, we had no selfish motive, but wished to make the Canal an international affair, open to all the world. All the criticism that had been exercised had failed to get rid of the great fact that by the possession of these shares the influence of England in regard to any complications that might arise on Eastern Questions would be very greatly strengthened. As to the power of voting, he agreed with what had been said, that in these matters shares were weighed, not counted. He had had a great deal of experience himself as a director of public companies, and he must say that the knowledge that such a large interest as nearly one-half of the whole shares was held by one party, would weigh, and ought to weigh, very materially in any decision the Board of Directors might come to on points of policy. It seemed to him that in any conference regarding the direction of the Canal, England would stand in a much better position than if other nations could say—"You opposed it as long as you could, and you have never moved a finger to help it." In an extreme case we might even split up the shares in order to get a larger voting power. He trusted some arrangement would be made for buying up the interests of the other shareholders at an equitable price, and making it an international concern. If the British Government had not taken the shares the French Company would have made an arrangement to distribute them in the French market, and if the shares had got into French hands the opportunity would have been lost, and in case of future complications the French Government would have had pressure put upon it to take up a position antagonistic to the English Government, which might have led to serious quarrels. He gave his warm and entire approval to the purchase of the shares; but there were some questions incidental to it which he could not so entirely approve. The purchase of the shares involved England in no responsibility beyond the risk of losing a few thousands a-year; but in regard to Mr. Cave's mission and the appointment of Mr. Rivers Wilson, it was very different. They were gentlemen of such eminence that it was difficult to avoid the conclusion that by sending them out to Egypt we were incurring a certain amount of moral responsibility in regard to Egyptian finance. If an adverse report was made, or if Mr. Rivers Wilson should not stay, the consequence must be most prejudicial to the credit of our ally. If, on the other hand, the reports were favourable, and Mr. Wilson stayed, could we avoid incurring a certain amount of responsibility towards parties who, on the strength of those circumstances, advanced money? That, however, was a matter which might be discussed hereafter. In regard to the purchase of the shares, he had no hesitation or misgiving, and for the step they had taken he tendered his cordial thanks to the Government.

THE MARQUESS OF HARTINGTON: Sir, it is evident from the tenour of the speeches which have been delivered on this side as well as on the other side that the Vote will be agreed to, and I see it is the wish of the Committee that the debate should terminate this evening. I am glad to believe there will be other opportunities upon which the question can be discussed, and I think that to-morrow, when the discussion of this evening is considered by hon. Members of the House, and is read throughout the country, there will be a very general feeling of satisfaction, that for the first time this act of the Government has been thoroughly discussed in all its bearings, and that the other side, as well as the side favourable to the action of the Government, has at last been placed before the country. It was probably hardly to be expected that the right hon. Gentleman the Chancellor of the Exchequer, following immediately such a speech as was delivered by my right hon. Friend the Member for Greenwich, could give that speech a complete answer; but I think that the House and the country will feel that my right hon. Friend has asked many questions which as yet have received no answer whatever, and which ought, before this question is finally disposed of, to receive full and categorical replies, and, if possible, answers. The right hon. Gentleman gave no answer to the questions which my right hon. Friend put to him upon such subjects as these—he gave him no answer as to the existence of any precedent for the employment of a private firm in such a transaction as this. He gave him no answer as to the amount of speculation which it was alleged had occurred in the Canal and in Egyptian stock before the public announcement of the transaction. He gave him no answer to the question which he raised as to the unnecessary and unreasonable amount, as he represented, of the commission to be paid to Messrs. Rothschild on this transaction. He gave him no answer with reference to the reason which induced the Government having eagerly bought these shares, without being entitled to dividends or to vote—he gave him no answer to the question as to the reason why the same Government positively, and at a moment's notice, refused the offer of the Khedive's 15 per cent shares. He gave him no answer to the question what were the probabilities and the grounds of expectation that they would receive 5 per cent guarantee from the Khedive. He gave no answer to the question why, for 19 years, there should be such a difference between the position of the Government and that of the other ordinary shareholders of the Canal. Finally, and most important of all, he gave no answer to the argument of my right hon. Friend, which was that we had exchanged a well-defined position—a position in which we stood at an advantage, and which had been proved to be a strong one—and had substituted for it a precarious position which could scarcely by any means be a stronger one than that which we had abandoned, and would, in all probability, prove to be a much weaker one. I have said that the vote we are about to come to will probably be a unanimous one. I am not going to enter into the discussion whether technically it is competent for us to repudiate the transaction of the Government or not. That is an interesting subject of discussion; but I conceive that were the objections to this measure ten times stronger than represented by hon. Gentlemen who have spoken on this side of the House, and were the advantages to be derived from it ten times more doubtful than they would seem to be, the House would not repudiate such a transaction as this, deliberately entered into by the Executive Government of the country, empowered as it is to pledge the credit of the country, and which has acted upon its responsibility. But I am quite willing to go further. I will admit mit that if the House were free—technically it is free, but practically it is not free at this moment—it would probably ratify, if not unanimously, at all events by a very large majority, the action of the Government. I am not able, perhaps, to appreciate so fully as hon. Gentlemen opposite the reasons which would induce the House to take that course; but I have always thought—and upon the first opportunity which I had of expressing my opinion on the subject in public said—that, looking at the matter from a political point of view, there was a great deal to be said in favour of the course which the Government had taken. The right hon. Gentleman the First Lord of the Treasury, in reply to me the other night, said he did not know that the Eastern Question had any connection with the subject, and he declined to reply to the question I put, whether the transaction had anything to do with it or not? But it seemed to me then, and seems to me still, that, looking at the state of things in Turkey at the time when the Government made that public declaration, it was an unmistakable declaration, stronger than could be made in any despatch, that, whatever might be decided by the Great Powers of Europe as to the future destiny of the Turkish dominions, Her Majesty's Government were aware of the great interest this country has in Egypt and in the security of our communications with our Indian possessions, and that they were not disposed to abandon those interests, but rather disposed to strengthen and consolidate them. I thought then, and still think, that a declaration such as that, made in deed and not in word, was not inopportune; and if the subsequent conduct of the Government had corresponded with their action, then a great deal might have been said in its favour. But the Government have since then done everything they could to weaken the effect of that action. The speeches and despatches of the Secretary of State for Foreign Affairs, as well as the speeches of the Chancellor of the Exchequer in this House, have, every one of them, entirely ignored what may be called the political side of this question, and dwelt almost entirely on the supposed advantages which are to be acquired in the management of the Canal itself, and the disadvantages which it is supposed we are avoiding by the step that has been taken. I do not think it is now open to the Government to say, as was said the other day, that Lord Derby, when speaking at Edinburgh, gave only some of the reasons which have induced the Government to enter into this transaction, because we have on this point the authority of Lord Derby, as to what was meant, not only in his speech at Edinburgh, but in his despatch to Lord Lyons. Lord Lyons was therein instructed to acquaint the French Government that the desire of Her Majesty's Government was that the Khedive should keep his shares. That view has been repeated since, and, if so, it could not have been the desire of the Government to buy the shares; and, therefore, they still represent the proceeding as one that was forced upon them by necessity, and not one that they adopted from any deliberate conviction of its political expediency. Every declaration of that kind, in my opinion, weakens the political significance of the transaction—the aspect of it to which, as I have said, the greatest importance ought to be attached. The right hon. Gentleman declined the other night to discuss what would be the position of the Suez Canal in time of war—that is to say, he declined to take Parliament into his confidence on the subject. Yet I cannot but conceive that the right hon. Gentleman and his Colleagues have formed their opinion of what would happen in the eventuality which I have indicated. This is one of those questions which, sooner or later, must be discussed. If the right hon. Gentleman thinks there are any English interests that would suffer from its premature discussion at this moment, I certainly would not seek to induce the Government to discuss it prematurely; but I cannot imagine that

every Government and every statesman in Europe has not fully considered what position this Canal would occupy in time of war, and what would be the duty of the Sultan and the Khedive in regard to its neutrality. I cannot think, therefore, that a full and frank exposition to the House of the views of the Government on this subject could possibly give any impression to any foreign Government which would be prejudicial to the interests of this country. Although the right hon. Gentleman refused to discuss what would be done in time of war, he did not disdain to hint, as has already been referred to by the hon. Baronet the Member for Kirkcaldy (Sir George Campbell) that we were in possession of a chain of fortresses between England and Bombay; and he led it to be supposed that by the acquisition of the Suez Canal he would in some way add another link to that chain. But I do not think it can be too soon or too clearly understood by the country that the possession of these shares, as far as explained by the Government, and as far as it is possible at present to see, gives us no advantage whatever in time of war; and, whatever may be the use made of the Canal, or whatever its position in time of peace, in time of war the Company will have nothing whatever to say to that use or to that position, which is a question to be entirely decided either by the relative strength of the belligerents, or by the action of the Sultan or of the Sovereign of Egypt. We are in possession now, I presume, at least of the views of the Government as to the advantages of the purchase in time of peace. We have been told much of the difficulties which have arisen between ourselves and the Company, and which have only been overcome by the interposition of the Khedive, and we have been led to believe that that interposition of the Khedive was prompted by his position as a shareholder. Now, I cannot find in these Papers any warrant or authority whatever for the statement. The Khedive, if he was interested as a shareholder, was interested in the same way and on the same side as M. de Lesseps and the other shareholders. He did not interfere as a shareholder, he interfered at the direction of the Sultan, at the instigation of other Powers, as Sovereign; and his position as Sovereign is—as Lord Derby has pointed out—not in the slightest degree affected by the sale of his shares. In his despatch to Major General Stanton, dated December 6, 1875, Lord Derby wrote thus—

> "You will, moreover, explain that Her Majesty's Government would regard as a violation of the Firman of the Porte, and as inconsistent with the integrity of the Ottoman Empire, any act of the Khedive dispossessing himself in any manner of the control over the Suez Canal which has been secured to his Highness by the Company's concessions and statutes, and which has been confirmed by the Porte."

Therefore, on the 6th of December the view of the Government was that the territorial sovereignty over the Canal remained in the hands of the Khedive exactly in the same manner and degree as when he was a shareholder. The Government have failed, as I humbly think, to show that by the purchase of these shares they have added in any way whatever to the security which we possessed before in the possible intervention of the Sultan and the Khedive. It is perfectly clear that the position we occupy now is, in fact, rather weaker than it was before. As the greatest commercial State making use of the Canal, we had before a right to appeal to the Sultan and the Khedive for the strict enforcement of the engagements of the Company. But now, by entering as shareholders into the Company we have taken up a different position. We have accepted, as we are told, a representation of three members on the Governing Body of the Canal. Therefore, we are going to attempt in some way or other to influence the decisions of the Company from the inside, instead of the outside, as hitherto. Supposing our attempt be unsuccessful, as it may and probably will be, I ask the House whether we shall be in a stronger position to appeal to the Khedive or the Sultan to require the Company to fulfil its obligations? An analogous case is familiar to hon. Members. A Committee of this House discussing a Private Bill pays every attention to the representatives of private parties whose interests may be concerned; but I believe no account is ever taken by Committees of the representatives of a minority of shareholders who complain of the decision of the majority. The Government have, to a certain extent, placed us in the position of a minority of shareholders, whose views will be overruled by the Governing Body of the Company, and we have so far weakened our position as independent parties appealing for the due observance of the Company's engagements. The right hon. Gentleman the Chancellor of the Exchequer has laid great stress on the dangers which we have avoided by preventing these shares from falling into the hands of others. Other hon. Gentlemen on the same side of the House have also taken up the same view; but I do not see that we have run any such great risk as appears to weigh on the mind of the right hon. Gentleman. Had the shares fallen into the hands of some body or some individuals independent of French influence—that is to say, the influence of M. de Lesseps—that certainly would not have been prejudicial to our interests. The very worst case that could have occurred was that the shares should have fallen into the hands of French proprietors, who would have thrown in their influence with M. de Lesseps. But even that does not appear to me to be so alarming a contingency as it does to Her Majesty's Government. M. de Lesseps is at this moment predominant in the management of the Canal, and so long as he holds the influence he at present wields, and possesses the confidence of the shareholders, a few votes less or more for M. de Lesseps under these circumstances appears to me a matter of very little consequence. Let us consider now for a moment the *dictum* that as the holders of two-fifths of the shares of the Company, we must necessarily have a corresponding influence in its management. I admit that in ordinary enterprizes a shareholder with only the same vote as other shareholders may, nevertheless, have a greater moral and indirect influence than they when he has large interests which agree with theirs. But I can easily conceive a case in which a large capitalist who has numerous other undertakings of far greater importance to him than his shares in a certain commercial enterprize may be a large shareholder and yet exert no more influence than attaches to the bare number of his shares, simply because the other shareholders are aware that his interest is not the same as their own. That appears to me to be our case in the present instance, for it must be evident to all the other shareholders of the Canal that our chief interest is not, like theirs, to make the concern a profitable one. Our position with regard to the Canal is very different from theirs. We are looking upon it in a very different light from that in which it is regarded by the other shareholders, and so long as we cannot overbear them with our votes I do not see how we shall gain any influence by the large number of shares we have purchased. I think, therefore, we have a right to demand a more satisfactory answer from the Government as to the advantages to be gained by the purchase of these shares. Besides, with regard to the mission of Mr. Cave, the Government have not given the House all the information which would have been desirable, or given any answer to the objections raised against the mission itself. It is true we are not directly called upon to express an opinion on that subject to-night, but to my mind it is impossible to dissociate the two events. Both in Papers which have been published and in speeches which have been delivered, an attempt has been made to prove that the purchase of shares in the Suez Canal and Mr. Cave's mission to Egypt are not in the least connected with each other. But when the Government on one day, or on two successive days, comes to two important decisions affecting the same country, it is at least difficult to believe that there is no connection between them. How does the matter stand? It appears to me to stand in this way. In the payment of the £4,000,000 I maintain we have entered on a double transaction; we have purchased the reversion of certain shares, and we have lent a certain sum to the Khedive. I do not find fault with the transaction. It is perfectly legitimate. At the same time we sent out a special mission to inquire into the affairs of the Khedive, which we know have been for some time in an embarrassed condition. Well, what is the obvious inference to be derived from this? That a financial intervention of some kind or another in the affairs of the Khedive is, or was, contemplated by the Government. Such an action had very properly been characterized as mischievous and absurd. The result has been what was expected. Mr. Cave has gone out; he has been at work; he has examined into the financial condition of the Khedive. With what result? Has he been able to inform the Government of the kind of assistance wanted by the Khedive, or the nature of the appointment that would be offered to the gentleman that would be sent out? No; but Mr. Rivers Wilson has gone out with undefined powers and position, constituting himself a second mission, to inquire into the nature of the appointment and to exercise his own judgment. In fact, Mr. Rivers Wilson proposes to himself exactly those points which Mr. Cave was to find out for the Government. I cannot help thinking that, under the circumstances, the full history of Mr. Cave's mission has not been laid before us, and that financial intervention may still be contemplated in regard to the affairs of the Khedive. It may be asked, what harm is there in that intervention? There is this harm. Either the Government has seriously intended to involve this country in vast liabilities which it is not disposed to undertake, or else it has placed the country in a position which redounds neither to its credit nor reputation. We all know what the person who unnecessarily interferes in the business of other people meets with; but what is to be said of a person who thus interferes who is possessed of vast resources, and who, after he has interfered and raised high expectations, steadily refuses to move one of his fingers to help those with whom he has meddled? This is not the position in which the Government ought to be placed, and the Government either has involved us in great liabilities, or it has placed us in a false and humiliating position.

Mr. DISRAELI: Sir, although, according to the noble Lord, we are going to give a unanimous vote, it cannot be denied that the discussion of this evening at least has proved one result. It has shown, in a manner about which neither the House of Commons nor the country can make any mistake, that had the right hon. Gentleman the Member for Greenwich been the Prime Minister of this country, the shares in the Suez Canal would not have been purchased. The right hon. Gentleman, in his numerous observations upon the Vote before the House, has divided them under two heads—what he calls the operation and the policy. The right hon. Gentleman found great fault with the conduct of the operation; and though that is not the more important portion of the business, and though it is one which I could have wished to refrain from touching, from the personal details that must be involved necessarily in such a discussion, still as the question has been not only noticed by the two right hon. critics of the evening, but by some who followed them, I have no wish to avoid it, and I certainly shall encounter that question. The right hon. Gentleman defies me to produce an instance of a Ministry negotiating with a private firm. Well, I think the right hon. Gentleman must be in error. [Mr. GLADSTONE: Those were not at all my words.] Unfortunately, we are all on this side under the impression that those were the words. I listened attentively to the right hon. Gentlemen, but it is unnecessary to dwell upon the topic. I was only going to say that I doubted the accuracy of the statement; but I conceive it has nothing to do with the matter before us, which is of an unprecedented character, as I was going to show. The right hon. Gentleman found great fault with the amount of the commission which has been charged by the Messrs. Rothschild and admitted by the Government; and, indeed, both the right hon. Gentlemen opposite took the pains to calculate what was the amount of interest which it was proposed the Messrs. Rothschild should receive on account of their advance. It is, according to both right hon. Gentlemen, 15 per cent; but I must express my surprise that two right hon. Gentlemen, both of whom have filled the office of Chancellor of the Exchequer, and one of whom has been at the head of the Treasury, should have shown by their observations such a lamentable want of acquaintance with the manner in which large amounts of capital are commanded when the Government of a country may desire to possess them under the circumstances under which we appealed to the House in question. I deny altogether that the commission charged by the Messrs. Rothschild has anything to do with the interest on the advance; nor can I suppose that two right hon. Gentlemen so well acquainted with finance as the Member for Greenwich and the Member for the University of London can really believe that there is in this country anyone who has £4,000,000 lying idle at his bankers. Yet one would suppose, from the argument of the right hon. Gentleman the Member for Greenwich, that such is the assumption on which he has formed his opinion in this matter. In the present instance, I may observe, not only the possibility, but the probability, of our having immediately to advance the whole £4,000,000 was anticipated. And how was this £4,000,000 to be obtained? Only by the rapid conversion of securities to the same amount. Well, I need not tell anyone who is at all acquainted with such affairs that the rapid conversion of securities to the amount of £4,000,000 can never be effected without loss, and sometimes considerable loss; and it is to guard against risk of that kind that a commission is asked for before advances are made to a Government. In this case, too, it was more than probable that, after paying the first £1,000,000, following the signature of the contract, £2,000,000 further might be demanded in gold the next day. Fortunately for the Messrs. Rothschild they were not; but, if they had, there would in all likelihood have been a great disturbance in the Money Market, which must have occasioned a great sacrifice, perhaps the whole of the commission. The Committee, therefore, must not be led away by the observations of the two right hon. Gentlemen, who, of all men in the House, ought to be the last to make them. But the right hon. Gentleman the Member for Greenwich says we ought to have gone to our constitutional financiers and advisers, the Governor and Deputy Governor of the Bank of England, and, of course, the hon. Member for Galway (Mr. Mitchell Henry), who rose much later in the debate, and who spoke evidently under the influence of strong feeling, also says that we ought to have asked the Governor of the Bank of England to advance the £4,000,000. But they forget that it is against the law of this country for the Bank to advance a sum of money to the Ministry. But then it may be said—"Though the Bank could not have advanced the £4,000,000, you might have asked them to purchase the shares." But how could they have purchased the shares? They must have first consulted their legal adviser, who probably would have told them that they had not power to do it; but, even if that doubtful question had been decided in the affirmative, they must have then called a public Court in order to see whether they could be authorized to purchase those shares to assist the Government. Now, I ask the Committee to consider for a moment what chance would we have had of effecting the purchase which we made under the circumstances, and with the competitors we had to encounter, and the objects we had to attain, if we had pursued the course which the right hon. Gentleman opposite has suggested? "But," says the Member for the University of London—and this also has been echoed by his late right hon. Colleague—"you would have avoided all this, if you adopted the course which we indicate, and which I have just reminded the Committee is illegal, if you had only taken the illegal course we recommend, you would have got rid of this discreditable gambling, because although the Messrs. Rothschild, some of whom have been Members of this House, are men of honour, yet they have a great number of clerks who were all gambling on the Stock Exchange." Now, my belief is that the Messrs. Rothschild kept the secret as well as Her Majesty's Government, for I do not think a single human being connected with them knew anything about it. And, indeed, it was quite unnecessary for the Messrs. Rothschild to have violated the confidence which we reposed in them, and quite unnecessary even for the Members of Her Majesty's Government to hold their tongues, for no sooner was the proposal accepted than a telegram from Grand Cairo transmitted the news to the Stock Exchange, and it was that telegram which was the cause of all the speculation and gambling to which the right hon. Gentleman has referred. It is a fact that while the matter was a dead secret in England, the news was transmitted from Cairo. That was the intelligence on which the operations occurred. But I wish to say one word respecting the moral observations which have been made. As to gambling on the Stock Exchange, are we really to refrain from doing that which we think is proper and advantageous to the country because it may lead to speculation? Why, not a remark was made by the noble Lord, who has just addressed the House, the other night, or by me in reply, that would not affect the funds. On the one side people would say—"The Government are in great difficulty, and probably a Vote of Censure will arise out of this Suez Canal speculation," while other persons would observe—"There is evidently something coming about Egypt, and he is not going to let it all out." Ought we to refrain from doing what is necessary for the public welfare because it leads to stock-jobbing? Why, there is not an incident in the history of the world that led to so much stock-jobbing as the battle of Waterloo, and are we to regret that that glorious battle was fought and won because it led to stock-jobbing? So much for the operations on the Stock Exchange. I think we have been listening all night to remarks on this transaction that have very little foundation. We have been admonished for conduct which has led to stock-jobbing and we have been admonished because we applied to a private firm when, from the state of the law, I have shown that it was absolutely necessary from the character of the circumstances we had to deal with that a private firm should be appealed to. And now I come to the policy of the two right hon. Gentlemen, for on that portion of the subject they appear to agree very much. The right hon. Gentleman the Member for the University of London says—"You have your shares, but you have no dividends." And the right hon. Gentleman the Member for Greenwich says—"You have your shares, but you have no votes." That is the great lamentation of the two right hon. Gentlemen. Shrieking and screaming out—"You have no votes and no dividends, though you have the shares," they account for conduct on the part of the Government so totally devoid of sense and calculation as that the Government should become encumbered with all these shares, and yet possess neither the advantage of dividends nor of voting power. They say this is due to the simple circumstance that we acted in total ignorance, that we were innocent—nay, more than innocent—and that the most becoming thing for us to do would be to acknowledge and, at the same time, to regret our fault. Instead of that, they say we triumph in our ignorance, and they absolutely pretend that we were aware of the immense blunder we have committed. It is very remarkable that the two right hon. Gentlemen should have ventured to take up such a position in this case. What is this question of the Suez Canal? From the numerous Papers which have been placed before the House, the House must be tolerably aware that during the whole period of the existence of the present Parliament the question of the Suez Canal has more or less been before us. I am not sure that in the first Cabinet Council we held some decision was not come to on the subject. Then the International Commission at Constantinople had either just terminated, or was involving the Government in a painful and difficult Correspondence. We were represented at the International Commission by Colonel Stokes, who is completely master of the subject, an invaluable public servant, and a man of great intelligence, and who had completely mastered all the details of what was then a very complicated question. From that time until we made the purchase in October last Colonel Stokes has been in almost constant attendance at the Foreign Office. The question of the Suez Canal was constantly before us, and therefore I need not go further to show to the Committee that, although it happened to be a subject upon which we were called in the present instance to decide hastily, we had the advantage of much previous knowledge. Why, my right hon. Friend the Chancellor of the Exchequer was intimately acquainted with the subject, and was himself present at the opening of the Suez Canal. Nothing, in short, can be more unfounded than the assumption of the two right hon. Gentlemen, who wished to convey to the House that Her Majesty's Government had entered into their agreement in perfect ignorance of all the circumstances of the case. This, in fact, was the style of the whole speech of the right hon. Gentleman (Mr. Lowe). Take this away; convince the right hon. Gentleman—or convince, what is easier and more satisfactory, the Committee—that we were aware of these circumstances, and the right hon. Gentleman himself confesses that he might as well have made no speech at all. Then the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) proceeds in his attack in his own way, and makes a great many objections, but takes up two great positions as grounds of condemnation. "First of all," he says, "I object to this purchase, because it will give you no influence." That is the assertion of the right hon. Gentleman. I might meet it with a counter assertion. I might offer many arguments to show that it will give us a great deal of influence. I might refer to that which has already occurred, and which, though not in its results very considerable, shows some advantage from what has been done, while before a year has elapsed it will possibly show much more. I might refer to the general conviction and the common sense of society that such an investment cannot be treated as absolutely idle and nugatory, as the right hon. Gentleman wishes to treat it. The right hon. Gentleman takes a position from which it is certainly difficult to dislodge him, because it is perfectly arbitrary. He says—"You have no votes." He views the question abstractedly. He says—"Here is a company, and you have a great many shares in it, but you are not allowed to vote, and therefore it follows you can have no influence." But everybody knows that in the world things are not managed in that way, and that if you have a large amount of capital in any concern, whatever may be the restrictions under which it is invested, the capitalist does exercise influence. Then the right hon. Gentleman says—"You have no real control over the purchase you have made; and yet that purchase will lead to great complications." Sir, I have no doubt that complications will occur. They always have occurred, and I should like to know the state of affairs and of society in which complications do not and will not occur. We are here to guard the country against complications, and to guide it in the event of complications; and the argument that we are to do nothing—never dare to move, never try to increase our strength and improve our position, because we are afraid of complications is certainly a new view of English policy, and one which I believe the House of Commons will never sanction. I think under these two heads all the criticisms of the right hon. Gentleman are contained. But the noble Lord who has just addressed us says many points were made by the right hon. Gentleman which the Chancellor of the Exchequer did not answer. There is no precedent of a British Ministry treating with a private firm; my right hon. Friend did not answer that. [MR. GLADSTONE: I did not say so.] The right hon. Gentleman, however, says he made no observation of the kind. Then the noble Lord says my right hon. Friend never answered the charge about speculations in Egyptian Stock. Well, I have answered that charge. The noble Lord says my right hon. Friend never touched upon the amount of the commission. I have touched upon it. He says that we never thoroughly cleared ourselves from the charge of not buying the 15 per cent shares. I am here to vindicate our conduct on that point. In purchasing the shares we did, we purchased what we wanted, we gained the end we wished, and why we should involve the country in another purchase, when we should thereby only have repeated the result we had already achieved I cannot understand. The noble Lord says my right hon. Friend never expressed what expectations we had of receiving the £200,000 a-year from the Khedive. We certainly do expect to receive the £200,000 a-year from the Khedive, but we do not suppose that interest which is at the rate of 5 per cent is quite as secure as it would be if it were at the rate of 3¼ per cent. Then the noble Lord says that my right hon. Friend never met the charge of the right hon. Gentleman that our policy would lead to complications with other nations. We believe, on the contrary, that, instead of leading to complications with other nations, the step which we have taken is one which will avert complications. These are matters which to a great degree must be matters of opinion; but the most remarkable feature of the long harangue of the right hon. Gentleman the Member for Greenwich is that it was in a great degree a series of assumptions, abstract reasonings, and arbitrary conclusions, after which he sat down quite surprised that the Vote should be passed unanimously, and requesting his allies to attack us for not answering that which we have felt not to be substantial, but to consist of assumptions which we believe experience will prove to be entirely false. The right hon. Gentleman charged us, lastly, with not having answered a charge of having abandoned a strong position. The right hon. Gentleman pictured us as having been in a good position before this—a position which he charged us with having abandoned for one of a more doubtful character. Here again, what proof does he bring of the charge he makes? We found ourselves in a position which has been called a strong position, but we could not for a moment think that our position with regard to the Canal was satisfactory. The International Commission sat, as hon. Members know, before the Conservatives acceded to power, and the work it did was greatly assisted by our Predecessors, and by a number of other able and eminent men; but, as I have said, no one who remembers all the circumstances of the case and what has occurred since, can for a moment pretend that our position with regard to the Canal was then satisfactory. At that moment Turkey was in a very different position from that which she occupies at present, as far as authority is concerned. The Khedive himself was in a very good position; and yet those who are familiar with what occurred at that time know the great difficulties which the Government experienced, and the very doubtful manner in which, for a considerable time, affairs looked with regard to the whole business. Therefore I do not agree with the right hon. Gentleman. I feel that at this moment our position is much stronger, and for the reason that we are possessors of a great portion of the capital invested in the Canal. The noble Lord himself has expressed great dissatisfaction, because I have not told him what the conduct of the Government would be with regard to the Canal in a time of war. I must say that on this subject I wish to retain my reserve. I cannot conceive anything more imprudent than a discussion in this House at the present time as to the conduct of England with regard to the Suez Canal in time of war, and I shall therefore decline to enter upon any discussion on the subject. Then the noble Lord passed to the mission of Mr. Cave, and says we have no good account to give of it. It is impossible to give a good account of a mission which is not yet finished. I believe the mission of Mr. Cave to be a wise and a beneficial one, and I look with confidence to satisfactory results flowing from it; but really that mission has nothing to do with the Vote of the evening, and it will be much better to defer any discussion concerning it until we have fuller information before us, and when the Envoy is himself—as I hope he soon will be—in his place in Parliament. What we have to do to-night is to agree to the Vote for the purchase of these shares. I have never recommended, and I do not now recommend this purchase as a financial investment. If it gave us 10 per cent of interest and a security as good as the Consols, I do not think an English Minister would be justfied in making such an investment; still less if he is obliged to borrow the money for the occasion. I do not recommend it either as a commercial speculation, although I believe that many of those who have looked upon it with little favour will probably be surprised with the pecuniary results of the purchase. I have always, and do now recommend it to the country as a political transaction, and one which I believe is calculated to strengthen the Empire. That is the spirit in which it has been accepted by the country, which understands it though the two right hon. critics may not. They are really seasick of the "Silver Streak." They want the Empire to be maintained, to be strengthened; they will not be alarmed even it be increased. Because they think we are obtaining a great hold and interest in this important portion of Africa—because they believe that it secures to us a highway to our Indian Empire and our other dependencies, the people of England have from the first recognized the propriety and the wisdom of the step which we shall sanction to-night.

Question put, and *agreed to.*

Resolution to be reported *this day;* Committee to sit again upon *Wednesday.*

UNITED PARISHES (SCOTLAND) BILL.

(*Mr. Dalrymple, Colonel Alexander, Mr. M'Lagan.*)

[BILL 62.] SECOND READING.

Order for Second Reading read.

MR. DALRYMPLE, in moving that the Bill be now read a second time, said, that it was the same as a measure which was introduced last Session, but which, owing to pressure of time and an opposition now not repeated, had never got beyond a first reading. The Act of 1844, known as Sir James Graham's Act, was an Act for disjoining parishes and erecting new parishes, and the 8th section of that Act sanctioned the erection of *quoad sacra* parishes in connection with the Church of Scotland. But that Act dealt only with Parliamentary charges and chapels of ease, and omitted to deal with united parishes, of which there were several in Scotland. A "united parish" was what was known as a double charge, with two glebes, but only one minister; and the Act of 1868, called the "United Parishes Act," introduced into the House by private Members—one of whom was Sir James Fergusson, a near relative of his own—but having the support of Government, attempted to supply the defect by making these parishes divisible and providing that one of the churches separated from the Mother Church should be declared the church of a new parish *quoad sacra.* Unfortunately, however, that Act did only half its work. It failed to deal with the double glebe, and its provisions were rendered nugatory, because no arrangement was made for one of the glebes going with the *quoad sacra* church. The present Bill was consequently introduced to complete what the Act of 1868 omitted. It made as little change as was possible, and one of the sections provided that the heritors should not be liable to any increased liability. The hon. Member concluded by moving the second reading of the Bill.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

HORSHAM WRIT.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the election of a Member to serve in this present Parliament for the Borough of Horsham, in the room of Robert Henry Hurst, whose Election has been determined to be void.—(*Mr. Adam.*)

TENANT RIGHT AT THE EXPIRATION OF LEASES BILL.

On Motion of Mr. MULHOLLAND, Bill to facilitate the proof of the Ulster Tenant Right Custom at the Expiration of Leases in certain cases, *ordered* to be brought in by Mr. MULHOLLAND, Lord ARTHUR EDWIN HILL-TREVOR, The Marquess of HAMILTON, Captain CORRY, and Mr. CHAINE.

Bill *presented,* and read the first time. [Bill 84.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 22*nd February*, 1876.

MINUTES.]—Public Bills—*First Reading*—Patents for Inventions (15).

PATENT LAWS AMENDMENT BILL.

BILL PRESENTED. FIRST READING.

The LORD CHANCELLOR, in presenting a Bill for the amendment of the Patent Laws, said, that their Lordships might recollect that last Session a Bill for the amendment of the Patent Laws passed through their Lordships' House, and went down to the other House of Parliament; but the state of Public Business at that time made it impossible to carry it through. By their Lordships' favour, he was permitted, when introducing the Bill, to explain at great length its objects, and he certainly should not think of trespassing now on their Lordships' indulgence by any lengthened statement:—but he was anxious, in asking permission to read the Bill a first time this Session, to state that there would be found in it two important provisions differing from the former Bill. They were these:—The proposal of the Bill of last Session was that there should be in future two classes of Letters Patent for inventions, the one to remain in force for a period of 14 years—the present term—the other for an invention which might not seem deserving of so long a period, for the shorter term of seven years. He still thought it would not be an undesirable arrangement that there should be a distinction of that kind, having reference to the subject-matter of the invention. However, he had found many objections raised to that proposal by persons much concerned with patents; and they suggested so strongly that it would lead to uncertainty or to litigation, as to whether an invention should be entitled to seven or to 14 years' protection, that he had thought it right to omit that provision and to propose that patents should be given a protection for the uniform term of 14 years. The other alteration was of a different kind. In the Bill of last Session it was proposed, as the machinery for carrying it out, that the granting of Letters Patent should be under the direction and superintendence of the Commissioners of Patents; that under them there should be Examiners of Patents, who should carefully examine as to the sufficiency of the specifications, and ascertain whether any previous patent had been granted for the same inventions. And then it was proposed that another class of persons—the Referees—not connected with the Patent Office, persons engaged in scientific pursuits, or conversant with the applied sciences, might be resorted to in the consideration of any particular patent, for the purpose of giving advice upon it. Here again he found considerable unwillingness to accede to an arrangement of that kind. On the one hand it was said that the services of persons sufficiently competent to give the required advice could not be obtained, except at a price that would be disproportioned to what would be the cost of the patent; and on the other, that great jealousies would be aroused by the selection of persons called upon to pronounce upon patents about to be brought before the public. With respect to that part of the Bill, therefore, he had thought it best to confine its machinery to the Commissioners of Patents, and, under them, the Examiners, the regular officers of the Patent Office. These were the two principal points in the new Bill to which he had now to ask their Lordships to give a first reading.

Bill for consolidating with Amendments the Acts relating to Letters Patent for Inventions *presented;* read 1ª; and to be *printed;* and to be read 2ª on *Tuesday the 7th of March next.* (No. 15.)

RAILWAY ACCIDENTS—REPORT OF THE ROYAL COMMISSION.—LEGISLATION.—QUESTION.

Lord COTTESLOE, according to Notice, asked the Lord President to inform the House, if in his power to do so, When the Report of the Royal Commission on Accidents on Railways will be presented; and, whether the Government propose to introduce any Bill or Bills on the subject during the present Session? The subject of loss of life at sea had engaged no small share of the attention of the House of Commons during last Session and the portion of the present Session which had already elapsed. It might not be that the loss of life by a single railway accident was so great as that caused by the sinking of a ship at sea; but if the calamitous results of railway accidents were regarded in the aggregate he doubted whether they would not be found quite as appalling as the accidents which occurred on the sea. Their Lordships' House had already shown how sensible it was of the importance of the subject, because it was on an Address agreed to and presented by their Lordships in 1874 that the Royal Commission to inquire into the regulation and working of railways, and to report on the best means to be adopted for the prevention of accidents was appointed. He thought, however, that when that Commission was appointed few, if any, of their Lordships anticipated that two years would elapse without a Report from them. It now, however, appeared to be not improbable that yet another year might pass before the Commission reported. He by no means wished to undervalue the magnitude of the task entrusted to the Commission, and he could quite understand that the appointment of its Chairman (the Duke of Buckingham) to the office which he now filled in India had caused a delay. No doubt an elaborate Report would be presented, and Parliament might expect to see a comprehensive measure founded on that Report; but all this would take time, and there was the probability that railway accidents which might be prevented would continue to occur in the meantime. It was clear enough, therefore, that the proceedings of the Commission were not fast enough to meet the urgency of the subject. He could not but think that the Royal Commission, if directed to do so, might be disposed to make a preliminary Report on which a Bill dealing with the most pressing necessities of the case might be prepared and passed into law during the present Session.

THE DUKE OF RICHMOND AND GORDON said, that nobody could be insensible to the importance of the subject. The appointment of the Royal Commission was a proof that Parliament and Her Majesty's Government felt its importance; but, as his noble Friend admitted, the subject was a very large as well as a very important one. The absence from this country of the noble Duke the Chairman of the Commission had no doubt retarded its proceedings; but it must be remembered that in order to obtain full information and arrive at sound conclusions, the Commissioners had been obliged to take evidence over the whole country. In the temporary absence of Lord De La Warr, who had succeeded the Duke of Buckingham as Chairman, but who was now abroad, Lord Aberdeen was acting as Chairman, and the Commissioners were proceeding with their Report. All the evidence had been closed; but he could not hold out any hope that the Report would be presented this side of the Easter Recess. He could not agree with the noble Lord (Lord Cottesloe) that a preliminary Report from the Commission as a basis for legislation would be desirable. It would be impossible to expect any Department of the Government to undertake the preparation of a Bill on imperfect information, and it would be no less unreasonable to ask Parliament to legislate before it was put in possession of the matured views of the Commission and of the evidence on which those views had been formed. He could, however, assure the House that the greatest care was taken in the preparation of the Report, and that there would be no unnecessary delay in its production.

ARMY—THE MARTINI-HENRY RIFLE.

QUESTION. OBSERVATIONS.

THE DUKE OF ST. ALBANS, in rising to put the Question of which he had given Notice, with respect to alleged defects in the Martini-Henry rifle, said, he was afraid from all accounts that we were somewhat in the case of the epitaph —"I was well, I would be better—here I am." He was afraid we had exchanged a fairly good weapon in the Snider for the Martini-Henry, and that it had not realized the expectations formed of it. This was no Party question—it would be difficult, if one wished it, to know who to blame. The military authorities were relieved of the responsibility of choosing the arm they required by a Committee being appointed, and though the Government had been a long time in discovering the defects, yet their predecessors adopted the rifle. It was of the highest importance that the weapon supplied to the English Army should be the very best that could be procured, and it would doubtless be a vast disappointment to the country, after the large sums expended, if it was found that we had not a perfect arm; but it would be better to look this in the face, if it was not so, rather than leave our soldiers with a weapon in which they had no confidence. He hoped, however, that the reports he had heard would prove to be exaggerations. He spoke under contradiction from the illustrious Duke, and from the noble Earl the Under Secretary of State for War (Earl Cadogan), but he was told on good authority that between 60 and 70 of the Martini-Henry rifles had become unfit for service in a battalion of Guards alone during the last Autumn Manœuvres, and he believed complaints were received last year of the rifle from various foreign stations. But what was most important was the despatch of Lieutenant Hinxman, from Malay, describing the rifle in the first and only time it had as yet been used in action. He said—

> "I was much disappointed with the new rifles. When they got hot the extractor became jammed, and eight or 10 of my men told me their rifles were useless, so I told them to take the wounded men's rifles."

Now, if the Martini-Henry was ineffective against foes, it seemed also to be somewhat dangerous to friends. It seemed that a small quantity of sand or dirt getting into the lock would make the pull a hair-trigger. It was not pleasant to know that the man standing behind one had a hair-trigger, but it was doubly unpleasant if one knew that it was not only a hair-trigger, but one which necessarily must stand at full-cock. Might he ask any of their Lordships what would be their feelings if they were asked to join a shooting party who were to go over rough ground and through fences, and who were carrying guns which only could stand at full-cock? From no wish to embarrass the Government, but as sharing the general anxiety which was felt on this important subject, he begged to ask, Whether any reports have been received during the past year with respect to defects in the Martini-Henry Rifle; and, if so, whether there is any objection to lay such Reports on the Table; and to state the steps (if any) which have been taken, and the estimated cost per rifle of rectifying the defects complained of?

Earl CADOGAN, in reply, said, that reports had been received during the past year with reference to defects in the Martini-Henry rifle, and there was no objection to lay those Reports on the Table of the House. Among these complaints some referred to the sighting, some to irregularity of pull, others to the difficulty of extracting the emptied cartridges in certain cases, and, in isolated instances, to the weapon going off in the act of closing the lever. It was found also that the pull could be injured by a small amount of dust or dirt getting between the shoulder of the trigger and the trigger-plate, and that by the insertion of a piece of paper or other foreign substance, the trigger might be converted into a hair-trigger, and so the rifle might go off unexpectedly and cause accident. No such accident had occurred at Enfield since the manufacture of those rifles was commenced there, though, of course, an immense number of rounds had been fired at Enfield with them. But the possibility of the occurrence had been deemed so serious that in October last a Conference of Officers had met to consider the matter, and, on the suggestion of the Superintendent of the Small Arms Factory, they came to the conclusion that a plan of counter-sinking the shoulder of the trigger and a slight additional improvement in the details of the manufacture of the weapon would afford a remedy for the danger. At a meeting of the Conference of the same officers in January it was recommended that the necessary alteration should be made in the weapon. This alteration would cost only 3*s*. for each rifle; it did not affect the principle, nor would it involve the return of the rifle into the factory. With regard to "half-cock"—which some persons considered a source of danger rather than of safety — the Conference, after much deliberation, did not recommend it. He had had a letter sent to him by Colonel Close, written by Lieutenant Abbott, whose name their Lordships would remember in connection with the murder of Mr. Birch, in which that officer said—"I wish my father to tell Colonel Close that the Martini rifle did very well." With respect to the extraction of the emptied cartridge, that was found to be the result of neglecting to extract the case immediately after firing, as, when the weapon cooled, the metal of the chamber contracted and held it fast; but by a new drill regulation, requiring the soldier to extract the spent cartridge after firing, that difficulty would be avoided. The Martini-Henry rifle had been chosen for the British Army, after a long and anxious deliberation, by what he thought he might fairly call representative Committees. A sum of £1,400,000 had been already spent on the manufacture of that arm and the ammunition necessary for it, and therefore it was most desirable to render the weapon perfect by remedying any deficiencies. The analogy sought to be drawn by the noble Duke from the epitaph he had repeated to their Lordships hardly existed in this case, because the dead man had called in the physician when he was perfectly well; whereas, as regarded the Martini rifle, it was found to be necessary from real defects to call in the physician. But if, as was believed by competent authorities, its defects could be remedied, he thought their Lordships would be disposed to think it was the duty of the Government to do their best to make it a complete success.

EARL GREY concurred with the noble Earl who had just addressed their Lordships that after so much money had been expended on the Martini-Henry rifle, the Government ought to try and make it a satisfactory weapon; but he still more concurred with his noble Friend the noble Duke (the Duke of Somerset) when he said we ought to look the matter in the face, and whatever we might have spent upon Martini-Henry rifles, we ought not to be afraid to ascertain whether they really were open to the objections urged against them. If they were, we were bound to give them up, and ought not to leave the British soldier with any but the best weapon. It was said that after a number of shots had been fired from the Martini-Henry rifle, the recoil was such as to interfere with the correctness of the aim. Information on this and other points in connection with the weapon would be very desirable for Parliament.

THE MARQUESS OF LANSDOWNE said, he could repeat what had been said by his noble Friend the Under Secretary of State for War—that the introduction of the Martini-Henry rifle had not been undertaken hastily by the late Government. From 1866, when General Peel advertized for the best breech-loading weapon for the British Army, there had been almost incessant inquiries into this subject, and it was not until their conclusion that the Martini-Henry rifle had been adopted, with the full concurrence of the Commander-in-Chief, by the late Government. The reports of a large number of regiments, as to the performance of the Martini-Henry rifle, were highly satisfactory; and he believed it was stated on good authority that its recoil was not greater than that of the Snider and other rifles. As against the Report of Lieutenant Hinxman there was the unqualified approval of the naval officer of the expedition. As to the statement of his noble Friend (the Duke of St. Albans) that the military authorities were relieved of responsibility by the appointment of Committees, he differed from that view. The responsibility lay with the military authorities. As to the objection that there was no half-cock, to meet that it had been recommended that there should be a locking bolt, but the illustrious Duke did not think that desirable.

THE DUKE OF CAMBRIDGE said, he thought it would be very difficult to adopt any view in opposition to that of the Committees, which had gone into all the details of this question and had seen the Martini-Henry rifle under all the advantages and disadvantages of actual trial—the results of course the military authorities could only take on their *dictum*. Under these circumstances, responsibility must rest on the Committees as to which was the best arm. Had he been a member of the Conference he thought he would have been in favour of recommending a half-cock. Being something of a sportsman, he knew something of the apprehension felt by those who were in the immediate neighbourhood of persons who were apt to carry their fowling-pieces on full-cock. He certainly did not think a bolt would do. He certainly should prefer an arm that had a half-cock, if it was possible to have one equally efficient with that arrangement, to the Martini-Henry without it. The theory was that breech-loading arms ought not to be loaded until they were about to be used, and therefore that not much danger need be incurred. Formerly, when individual men had not to make charges or rushes, there was not the same difficulty; but now, when a man was left so much to his individual action, there was more danger in intrusting him with a loaded musket on full-cock. But to gain so many advantages as are now sought for we must submit to certain disadvantages. No doubt there had been complaints of the Martini-Henry rifle going off in some cases without the trigger having been touched; but it was said that this might be completely prevented in the manufacture of the weapon. As to the recoil, he believed that the complaint of the objectionable amount of recoil had been caused by the butt having been made too long, which prevented the soldier from getting it up close to his shoulder. In all cases, whenever a new arm was adopted, it would be found necessary, after actual service, to make adjustments and improvements. There must be a trial of the weapon in actual service. Firing a number of shots at Enfield was a very different thing from giving the rifles to ordinary men to be knocked about. It must be remembered, too, that the capability of men to handle and take care of their weapons greatly differed, and that small mishaps were sure to occur. He was satisfied, however, that the arm was a good arm. As to the difficulty of extracting the emptied cartridges owing to the shrinking of the barrel, that showed how difficult it was to foresee all difficulties of detail. At first it had not been thought necessary to order in the drill regulations that spent cartridges should be extracted immediately after firing; but as such a regulation had since been made, that difficulty was not likely to occur again. With respect to the arm itself, he thought it right to say that 100 different kinds of weapons were produced when it was first submitted to competition. A certain number of those were withdrawn by the manufacturers themselves; a certain number were set aside, the best were selected, and of these the Martini-Henry was finally adopted as the best shooting arm that could be had.

VISCOUNT CARDWELL hoped their Lordships were not understood to be debating the question whether the British soldier ought to be armed with the best possible weapon:—at whatever the cost the British soldier should have that weapon. He hoped, also, that they were not debating as to who was responsible for the adoption of the Martini-Henry rifle. He shrank from no responsibility in connection with it. He hoped Her Majesty's Government would lay on the Table the results of the experiments which had been made within the last few months, that they might know whether this was —as he believed it to be—or was not the best weapon supplied to any army in Europe. He did not altogether agree with the illustrious Duke that the responsibility belonged to the Committee which had recommended it. As regarded the history of this rifle, in March, 1867, a most important and valuable Committee, consisting of some of the greatest rifle shots in the Kingdom and of some experienced soldiers, were appointed to inquire into the matter. They took a long time in their examination, and did not report till after he had come into office as Secretary for War, which he thought was an interval of two years from the time of their appointment. But the Government of which he was a Member did not act on the Report of that Committee. They assembled at the War Office some of the most experienced soldiers of this country. They recommended that 200 rifles should be made at Enfield and issued to the troops for trial. They were tried not only in this country, but in India, the Cape, and Canada. Well, when the reports came in the Committee was re-constituted, and Lord Elcho, who was Chairman of the Council of the Volunteers at Wimbledon, and the President of the Society of Civil Engineers were added to the Committee. The question was again considered by that Committee, who made their Report—again most favourable to the Martini-Henry. But the Government did not act on that Report. They assembled another body of most distinguished soldiers. This body again recommended the Martini-Henry rifle; it was approved by the Board of Admiralty; it had the high sanction of the illustrious Duke, and it was not until after all these things that it was adopted by the late Government. But it was not they only that had adopted it, any more than it was they who appointed the original Committee, because his right hon. Friend the present Secretary for War, he was told, went most carefully into an examination of the subject, and, having done so, largely increased the orders which the late Government had given for making them. He also took steps for issuing the rifle to the Infantry, But the real question was not the history of the case. The real question was the character of the arm. If the Martini-Henry was not the best, they were not justified in continuing it. He hoped that we should not rely upon the newspaper reports, of which the noble Earl on the cross-benches had spoken, inserted very likely by disappointed inventors; but that we should be put in possession of the official reports made by the School of Musketry at Hythe and the regiments which had tried it.

EARL CADOGAN said, he had not troubled their Lordships with any remarks upon what he understood had been unanimously conceded—the great superiority of the Martini-Henry rifle as a weapon of precision. He could not promise to produce the Papers asked for by the noble Viscount (Viscount Cardwell) without consulting the Secretary of State for War, but he had no doubt he should be able to produce them. He might state generally that the Reports which had been received were of a most satisfactory character, and bore out the description of this arm as the best that could be produced.

House adjourned at a quarter past Six o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, 22nd February, 1876.

MINUTES.]—SUPPLY—*considered in Committee —Resolution* [February 21] *reported.*
PUBLIC BILL—*Committee—Report*—United Parishes (Scotland) [62].

EXTRADITION TREATIES.—QUESTION.

COLONEL EGERTON LEIGH asked the Secretary of State for Foreign Affairs, Whether it is the intention of Her Majesty's Government to extend as far as possible Extradition Treaties to countries where such treaties do not at present exist?

MR. BOURKE: Yes. Treaties are in course of negotiation with France, the United States, Belgium, and the Netherlands for superseding those now existing. Treaties are also in course of negotiation with Spain, Ecuador, the Argentine Confederation, Chili, Peru, and Venezuela.

ARMY—ADJUTANTS OF MILITIA.
QUESTION.

MR. WAIT asked the Secretary of State for War, If Adjutants of Militia, who are also Captains in the Army, command the Captains of the Militia Battalions to which they have been gazetted, while they are serving with such Battalions?

MR. GATHORNE HARDY, in reply, said, that a Circular would shortly be issued which would enable adjutants to take rank in the Militia according to the date of their commissions in the Army.

INDIA—ECCLESIASTICAL ESTABLISHMENTS.—QUESTION.

MR. O'REILLY asked the Under Secretary of State for India, Whether the Secretary of State has received a reply from the Government of India to the Despatch of the 6th July 1872, on the subject of the Indian Ecclesiastical Establishments; and, whether he will lay the Correspondence upon the Table?

LORD GEORGE HAMILTON, in reply, said, in the Parliamentary Return, No. 181, 1875, there were several letters, or extracts of letters, between the Government of India and the Secretary of State subsequent to the despatch of the 6th of July, 1872. With the exception of the telegram which he read out to the hon. Gentleman the other night there was nothing to lay upon the Table of the House. The despatch, of which the telegram was the embodiment, would shortly arrive, and there was no objection to making it public.

MINES—ACCIDENTS IN COAL MINES.
QUESTION.

MR. SIDEBOTTOM asked the Secretary of State for the Home Department, If his attention has been directed to the frequency of explosions and serious accidents in coal mines, and if he has considered whether "any fresh regulations can be laid down by which some further guarantees may be obtained that all due precautions shall be taken against accidents, and that the very large sum of money expended on the inspection of mines shall bear the fruit it ought to bear," in accordance with his promise made July 27th 1874?

Mr. ASSHETON CROSS, in reply, said, the frequency of explosions and accidents in coal mines was a matter about which he felt very much interested, and last year he referred it to the Inspectors of Mines and to Inspectors generally at their annual meeting; but, unfortunately, there was a great difference of opinion among them. The matter had not, in the meantime, been lost sight of by him. He had referred this question to them at the meeting held that day, and he hoped to receive their report to-morrow, and to be able in a very short time to do something which might tend to prevent these explosions and accidents.

LAW AND JUSTICE—CASE OF MR. R. G. WILBERFORCE.—QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether his attention has been directed to two actions which were tried in the Westminster County Court on the 27th January last, before a jury, in which damages to the amount of £15 5*s.* were recovered against Reginald Garton Wilberforce, esquire, of the Temple and of Graffham, Sussex, barrister at law, and justice of the peace for the county of Sussex, for assaulting two boys, the sons of an agricultural labourer, by removing their clothes and violently flogging them on their bare bodies until they were covered with blood, for the offence of digging a rabbit out of a hedge on his estate, the defendant having given them the alternative of submitting to be whipped or of being prosecuted before the bench of which he was a member; whether he has caused inquiry to be made into the circumstances under which those assaults were committed; and, whether he has made, or proposes to make, any representation to the Lord Chancellor, with a view to the removal of Mr. Wilberforce from the bench of magistrates?

Mr. ASSHETON CROSS: I have communicated with Mr. Wilberforce since this Question was put on the Paper, and I am authorized by him to state that there are one or two inaccuracies in the Question placed upon the Paper, the main one being the statement that he was a member of the bench of magistrates before whom this case would naturally have been brought. But I also thought it my duty to communicate with the County Court Judge who tried the action. I think the best answer I can give is to read his answer. He says—

"The boys were found rabbiting in Mr. Wilberforce's land, not for the first time. Mr. W. complained to their father; he would not, he said, prosecute such youngsters, and he asked the father to punish them. The father said he could not flog them himself, because his hand was disabled; but he asked Mr. W. to flog them, and promised to send them to him for that purpose. Accordingly, the following morning, the boys went to Mr. W. He asked them would they take a flogging or go to Petworth; each said he would rather have a flogging; each let down his own clothes; each stood, and Mr. W. flogged each of them with a birch rod, but did not lay his hand on either of them. He gave each of them such a flogging as a boy at Eton would have got in my time. The younger boy boasted a day or two after that he did not mind it a bit. The question left to the jury was whether the flogging was, under the circumstances, too severe. They found for the plaintiff—damages, £10. The jury probably wished to mark their disapproval of Mr. W. thus placing himself *in loco parentis;* but had the facts been as suggested by Mr. Taylor they would, I have no doubt, have given much larger damages. I thought the maxim *volenti non fit injuria* applied except as to any excess, and that the law was not as stated in the 'Pleader's Guide' as the result of 'Matthews *v.* Offerton,' that famous beating in 'Comberbach,' 218—

'Where one a beating underwent
By his own license and consent,
Court held, and so 'twas understood,
The license void, the beating good.'"

I am bound to say that, in my opinion, the flogging was an error of judgment on the part of Mr. Wilberforce. I have his authority to say that it is a matter which he most deeply regrets. In conclusion I can only say, in answer to the last part of the Question, that the act of Mr. Wilberforce was not a part of his duty as a magistrate. What he did was not done in his judicial capacity.

Mr. P. A. TAYLOR gave Notice that on an early occasion he would call the attention of the House to this case and move a Resolution.

NEWFOUNDLAND FISHERIES.

QUESTION.

Captain PRICE asked the Under Secretary of State for the Colonies, Whether Her Majesty's Government recognizes the claim of the French to the exclusive right of fishing on that part of the coast of Newfoundland extending from Cape Ray to Cape St. John; and, if they do not, whether they intend to take steps to prevent the French cruisers from seizing our fishermen's nets, and otherwise committing acts of interference; whether it is the case that the Newfoundland Government have recommended that a stronger naval force be kept in their waters, and if the Government intend to act on that recommendation; and, whether the attention of Her Majesty's Government has been directed to the complaints made of damage done to the Newfoundland fishermen by the officer commanding the French ship of war "Diamant" in 1873, and to other acts of molestation committed at various periods, as mentioned in the Fishery Reports of the Senior Naval Officers on the Newfoundland Station in 1873, 1874, and 1875?

MR. J. LOWTHER, in reply, said, Her Majesty's Government certainly did not recognize any claim on the part of the French to an exclusive right in the Newfoundland coast. Complaints similar to those which the hon. Gentleman had referred to had from time to time reached Her Majesty's Government, and had engaged their anxious attention. The whole subject was, however, undergoing a thorough investigation at the hands of a Joint Commission now sitting in Paris, so that he hoped an amicable settlement of all these difficulties would be shortly effected.

THE CIVIL SERVICE.—QUESTION.

MR. RITCHIE asked Mr. Chancellor of the Exchequer, If he would explain to the House why, by the 12th Section of the Order in Council relating to the Civil Service, writers are precluded from being appointed to the lower division of clerks unless they have, previously to the Order in Council, served as writers for a period of not less than three years, even although they can "produce certificates from the heads of the department in which they are serving that it is desirable, in the interests of the Public Service, to retain and employ them in the same department," and they can "prove their fitness by a supplementary examination?"

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the object of the Order in Council was to give effect to the recommendations of the Civil Service Commissioners. They recommended the appointment of what was known as "a lower division of the Civil Service;" and if his hon. Friend had read the able Report of that Commission, he would see that they laid very great stress upon the steps which were taken for constituting that lower division, and especially they pointed out that it would lead to the entire collapse of the plan if the general body of writers should be transferred to the new lower division. The object of the Order in Council was therefore to establish the lower division upon an entirely new footing; but as a matter of equitable consideration of the claims of those who had been for a considerable time employed as writers, exceptional provision was made that, under certain circumstances, those who had been for more than three years on the list of writers might be exceptionally admitted into the lower division. The Government thought they had gone as far as it was right for them to go in making that provision. Nobody had any right to complain of not being included in this exceptional favour; because all the writers who had entered since 1870 had entered with a perfect knowledge of the terms upon which they were engaged, and they were not put in a worse position than that which they previously occupied.

TRADE UNION ACT, 1871—LEGISLATION.—QUESTION.

MR. MUNDELLA asked Mr. Chancellor of the Exchequer, Whether he is prepared to introduce a Bill to amend the Trade Union Act of 1871, in accordance with the memorial presented by a deputation on 11th November last, the proposals in which he pronounced "well deserving of consideration," and "very reasonable;" or if the Government will support such a Bill if introduced by a private Member?

THE CHANCELLOR OF THE EXCHEQUER: When I originally introduced the first Friendly Societies Bill I included in it some clauses relating to trade unions which would, I think, if they had been adopted with any modifications that the House might have been pleased to make, have remedied the grievances referred to in this Question. However, there was a great objection taken at that time on the part of members of trade unions to be included in such legislation, and they have accordingly been excluded from it. In the course of last Autumn I received a deputation from some gentlemen connected with trade unions, pointing out certain disadvantages under which they still labour, and I certainly did admit that their complaints were reasonable and well-founded. But I must point out to the hon. Gentleman that it does not lie with me to introduce any Bill relating to trade unions if they are dealt with separately. That is rather a matter that would come under the cognizance of my right hon. Friend the Home Secretary. I think, however, I may say, on my right hon. Friend's behalf as well as on my own, that the most convenient course appears to be that gentlemen interested in the question should introduce a Bill containing such provisions as they think are required. If the Government should see such a Bill, and find it limited to matters that they can reasonably deal with, they will, of course, be ready to give it any proper support.

THE STAMP ACT—MARINE POLICIES. "SASSOON V. HARRIS."—QUESTION.

Mr. GRIEVE asked Mr. Chancellor of the Exchequer, If his attention has been directed to the case of Sassoon *v.* Harris, and the severe strictures of the Bench on the Stamp Act, reported in the "Shipping and Mercantile Gazette" of the 17th January last; and, whether he will consider the desirability of assimilating the Duty on Marine Insurance to that on Fire and Life policies?

The CHANCELLOR of the EXCHEQUER: Of course I have noticed, as everybody has done, the case in question. I understand that this is by no means the first occasion on which a similar complaint has been made. Indeed, as long ago as 1812 precisely the same difficulty was felt, and was somewhat similarly animadverted upon in a Court of Law. The hon. and learned Member for Dewsbury (Mr. Serjeant Simon) has introduced a Bill intended to meet this difficulty, and he has been in communication with me, and, through

me, with the Board of Inland Revenue on the subject; and if an arrangement can be made as to the terms of the Bill, it will be of such a character as will obviate the difficulty complained of, which gave rise to this particular case. With regard to the last part of the Question, I believe the hon. Gentleman is in error in speaking of the duty on fire and life policies as if it was the same on both. There is a considerable difference between them. There is a fixed duty in the case of fire policies, and a sliding scale in the case of life policies. As to an assimilation of the marine insurance duty to the fire insurance duty, the question is really one of revenue, to which I am not prepared to give any answer.

MERCHANT SHIPPING ACTS—UNSEAWORTHY SHIPS.—QUESTION.

Mr. GRIEVE asked the President of the Board of Trade, How many of the 550 vessels surveyed by the Board of Trade between 5th August 1873 and 30th June 1875, for alleged defects, and that 515 were found unseaworthy, were stopped for the placing of their lamps, and matters not imperilling life and property; and if he will consider the desirability of classifying similar future Returns, say into coasting and foreign, causes endangering life, &c. directly, such as overloading and radical defects, and minor causes, such as crew accommodation, ventilation, placing lamps, &c.?

Sir CHARLES ADDERLEY: All the 550 ships which appear in the Return as detained were alleged to be unseaworthy. Though some may have been first detained for defective lights, &c., they would not appear on the Return unless there were also allegations of unseaworthiness imperilling life or property. The Returns are monthly, in two tables, one showing the number of ships detained for defective hull or equipments, the other for alleged overloading—none for minor causes. The classification may perhaps be somewhat improved in the way suggested by separating coasters from foreign-going ships.

MINES INSPECTORS REPORTS FOR 1875. QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, When the collective Reports of the Inspectors of Mines for the year 1875 may be expected to be laid upon the Table of the House; and, whether he will direct that such Reports, if not ready now for printing, be prepared without delay?

MR. ASSHETON CROSS, in reply, said, there were a great number of Returns which must be made to the Inspectors of Mines, and those Returns had not, under the Act, to be sent in till the 1st of February. It then took a considerable time for the Inspectors to put them in proper form; and the 31st of March was always held to be the earliest day on which the Reports could practically be finished. He would give special directions that they should be presented to him on or before that day.

SASINE OFFICE (EDINBURGH).

QUESTION.

MR. MACKINTOSH asked the Lord Advocate, Whether his attention has been directed to the Sasine Office in Edinburgh, and that the fees exacted during last year exceeded the expenses over fifty per cent; and, whether he will not relieve owners of property in Scotland by ordering a great reduction in the scale of fees charged in the above office?

THE LORD ADVOCATE: My attention has been directed for a considerable time to the arrangements in the Sasine Office in Edinburgh, and the departments connected with that office, including that of the searches of incumbrances affecting property. I have also had numerous representations made to me in regard to the inadequacy of the staff in these departments, and the necessity of their being increased, so as to secure greater despatch in the transaction of the business coming before them. In consequence of the representations which have been made by me, and by the officials connected with these departments, the Treasury has deemed it necessary to order a considerable increase of staff, and consequently of expenditure, with a view to meet the public convenience in regard to greater expedition in obtaining searches, and making the indices of sasines available in the provincial districts, in terms of the Act of 1868. Fully to secure these objects may probably to some extent make further demands on the Treasury; but I am glad to say that the administration of the Register of Sasines under the Act of 1868 has worked so satisfactorily that I have no doubt there will be a considerable surplus after making allowance for such expenditure, although I am not prepared to admit that the surplus is of the amount indicated in the Question. After the present and immediate demands upon it have been ascertained, the Treasury will take into consideration whether and to what extent there ought to be a reduction of fees for registration and searches, as provided for in the Act of 1868.

NAVY—NAVIGATING OFFICERS.

QUESTION.

MR. ANDERSON asked the First Lord of the Admiralty, If, seeing that employment for the navigating officers in the Navy has been made more scarce by the Order which allows the Service officers to qualify for navigating duties, he will issue a reciprocal Order allowing navigating officers to qualify for general service duties; or in what other way he proposes to compensate the navigating officers for the disadvantages which a change, otherwise advantageous to the public service, has imposed on them?

MR. HUNT, in reply, said, the hon. Member had put to him an argumentative Question which that was not the proper occasion to deal with; but he did not admit that navigating officers were prejudiced by the Order referred to. What he proposed to do with respect to qualifying for general service was to transfer navigating midshipmen to the executive list if they desired it, either in their present rank or on passing the examination for sub-lieutenant.

INDIA—THE BOMBAY NATIVE ARMY.

QUESTION.

MR. PARNELL asked the Under Secretary of State for India, Whether he has any objection to lay before the House the Papers relating to the recent dismissal from the service by His Excellency Sir Charles Stavely, Commander in Chief of the Bombay Army, of a Subadar of the 25th Bombay Native

Infantry on the charge of disloyal concealment of insurrectional circulars addressed to the Mahratta soldiers in the Bombay Native Army; and, whether it has been deemed expedient as yet to arm the Bombay Native Army with breechloading weapons; and, if so, to what extent the change has been carried out?

LORD GEORGE HAMILTON: No Papers have been received at the India Office in reference to the dismissal of this Native Officer of the Bombay Native Infantry, and if we had received them, I question if it would be for the advantage of the public service to publish them. The finding of the Court Martial which tried him is to be seen in the published General Orders of the Bombay Army, dated the 31st of December last. It has been deemed expedient to arm the Bombay Native Army with breechloaders, 11 regiments having this weapon, a number which will be increased during the ensuing year.

NAVY—OFFICERS OF ROYAL MARINES. QUESTION.

MR. SAMPSON LLOYD asked the First Lord of the Admiralty, Whether Her Majesty's Government intend during this Session to take any steps to mitigate or remove the exceptional disadvantages under which Officers of the Royal Marine Corps are placed, especially as respects stagnation of promotion, and the comparatively inadequate pay of the Colonels Second Commandant of Royal Marine Light Infantry?

MR. HUNT, in reply, said, he had stated last Session that he was precluded from improving the position of officers of the Royal Marines until the Report of the Royal Commission on Promotion and Retirement in the Army was received. That Report had not yet been presented, and he did not know when it would be; but until it was presented he could not give any definite answer to the Question.

WEST AFRICAN SETTLEMENTS—CESSION OF THE GAMBIA. QUESTION.

MR. A. MILLS asked the Under Secretary of State for the Colonies, Whether it is his intention to state to the House the intentions of Her Majesty's Government as to the cession of the Gambia to France; and, if so, when such statement will be made?

MR. J. LOWTHER, in reply, said, he was not in a position yet to name the Committee which it was proposed to appoint.

CROSSED CHEQUES.—QUESTION.

In reply to Sir JOHN LUBBOCK,

MR. J. G. HUBBARD said, that his Bill was chiefly intended to restrain facilities for theft; but if it was thought that on account of its importance to the customers of banks there should be some delay, he would postpone the second reading until Thursday the 2nd of March.

ITALY—MURDER OF MR. HIND, NEAR NAPLES.—QUESTION.

SIR WILLIAM STIRLING MAXWELL asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are taking steps to protect the interests of justice in the appeal to a higher tribunal, of the man who was found guilty of the murder of Mr. Hind at Naples?

MR. BOURKE: Her Majesty's Government have taken steps to secure the services of the eminent Italian counsel who was engaged on behalf of the family of the late Mr. Hind, at the original trial, for the appeal which is shortly to come on.

THE SUEZ CANAL—CONVENTION AS TO DUES.—QUESTIONS.

THE MARQUESS OF HARTINGTON: I beg to give Notice that on Thursday I will ask the Chancellor of the Exchequer, Whether it is true as announced in the public papers this morning, that Colonel Stokes and M. de Lesseps have signed a document relating to the modification of the Suez Canal duties, and whether that modification has been approved of by the Khedive, the Porte, and the maritime Powers; and, whether the right hon. Gentleman will postpone the Report on the resolution of last night until the House shall have some information upon the subject before it?

THE CHANCELLOR OF THE EXCHEQUER: I can hardly see any reason for postponing it. There will be other proceedings of course in connection with this matter, by the introduction of a

Bill and so on, which will give plenty of opportunities for discussing the question.

THE MARQUESS OF HARTINGTON: Do you intend to take the Report of the Resolution to-night?

THE CHANCELLOR OF THE EXCHEQUER: Yes.

THE MARQUESS OF HARTINGTON: It is hardly usual to take the Report of such an important Resolution at a late hour. After what hour will it not be taken?

THE CHANCELLOR OF THE EXCHEQUER: I would rather wait until a little later in the evening before I say; but, of course, I should not press anything on against the wishes of the House. I however hope that I shall be allowed to take the Report of this Resolution, which follows upon the acceptance of the Vote. It will afterwards be necessary to consider the question of Ways and Means, and then there will be the introduction of a Bill which will have to pass through its various stages, so that there will be plenty of opportunity for discussing the matter. Besides, there are reasons which make it very desirable that time should not be lost; and therefore I propose to take the Report this evening, and I can hardly imagine that there will be any inconvenience arising from that course.

RECEPTION OF FUGITIVE SLAVES—THE CIRCULARS.

RESOLUTIONS.

MR. WHITBREAD, in rising to move—

> "1. That, in the opinion of this House, a Slave once admitted to the protection of the British Flag should be treated while on board one of Her Majesty's ships as if he were free, and should not be removed from or ordered to leave the ship on the ground of slavery. 2. That an humble Address be presented to Her Majesty, humbly praying Her Majesty that all Circulars, Instructions, or Orders heretofore issued contravening the foregoing Resolution, or limiting the discretion of commanding officers in respect of the reception of such persons on board Her Majesty's ships, shall be withdrawn."

said, it was not difficult for him to find a justification for bringing this matter before the House; because the feeling which had manifested itself throughout the country during the Autumn must have made it clear to Members of this House that it was necessary that this subject should be brought forward. If the Circular which was now in force had stood alone, it might have been sufficient to call attention to those provisions which seemed to be faulty, and to ask either for the withdrawal of the whole Circular or for an alteration of its terms. But that Circular did not stand alone. It was preceded by the Circular of July, and that in its turn had been preceded by Orders and Instructions from different Governments, extending over a long period of time. Many of these Orders and Instructions were open to great objection, and he thought the time had come when it was necessary for Parliament to interfere and lay down some line of policy which the country was ready to adopt. He had no desire to arrogate to his own side of the House any monopoly of humane feelings in dealing with this question. He was quite willing to acknowledge what Lord Carnarvon had done on the West Coast of Africa; and he had observed with gratitude that the Under Secretary for Foreign Affairs had recently laid upon the Table a Supplementary Treaty, which had effected a marked improvement in the Zanzibar Treaty. He wished to credit hon. Gentlemen opposite with the same feelings in this matter which actuated his own side of the House and the whole country. This, however, did not deprive him of his right to criticize the Slave Circular where he thought it faulty; and it was not because other Governments had fallen into errors of a similar character that Parliament should not interfere. It was, indeed, all the more reason why Parliament should express a clear and definite opinion upon the whole question; and because both sides of the House had fallen into error it might make it easier for the Government to retreat from an untenable position. He held it to be no part of his duty to take up the scales and endeavour to mete out the portion of blame which each Government should bear. He regretted that he should have, to a certain extent, to reflect upon the conduct of statesmen who were no longer present to vindicate themselves, or to explain their reasons for acting as they did; but he would ask the House to bear this in mind, that we should perhaps err if we took the circumstances of the present day as a guide in estimating the circumstances under which they acted long ago. Two distinctions had to be kept in view in dealing with this question—first, the distinction between slaves received on board one of Her Majesty's ships on the high seas and those received on board in the territorial waters of a foreign slave-owning Power; and, next, that the reception on board of a slave was one thing, whilst the treatment and disposal of him afterwards was quite another thing. As to the reception of slaves on board Her Majesty's ships on the high seas the law was clear and undoubted. He did not know whether there ever was any doubt cast upon it—certainly not in modern times—until the issue of the Circular of July, and that having been withdrawn as admittedly erroneous he need say no more about it. To his mind it could not be maintained that, under International Law, there was any obligation on our part to abstain from receiving on board Her Majesty's ships on the high seas any persons we thought fit. The course to be pursued in territorial waters of a foreign slave-owning Power was the point on which the greatest difficulty would be felt. In this case the best opinion appeared to be that the ex-territoriality of a public ship-of-war entering into such territorial waters without express prohibition was complete; at all events, so far that foreign jurisdiction was not admitted on board. In other words, a British ship-of-war entering such waters was to be regarded as forming part of these Islands, and was subject, and all on board of her, to British law alone, was, as we should say, under the municipal law only, although the foreign law prevailed round about it. There was, however, an implied understanding that those on board vessels entering into the territorial waters of a foreign Power were not wilfully to do anything hostile to the local law. He had stated broadly the principles of International Law applicable to this subject. But the question was not one of law alone; it was much more one of policy. Not having had the training of a lawyer, he would not have come forward to argue it if it had been a mere question of law, but upon a question of policy he was entitled to form an opinion; and, indeed, as a Member of that House he had undertaken a direct commission to urge that policy which he thought best; and having accepted that commission he had accepted a responsibility which he could not in a case like this throw off upon others, but must discharge in his own person according to the best judgment he could form. Upon the ground of policy he would postulate this—that it was their clear duty, as a free and freedom-loving people, in dealing with this question of slavery, not only to be well satisfied in their own minds, but also to make it clear to the whole world, that to the very extreme verge that their obligations to other States would allow, their policy leant towards the side of freedom. That was the touchstone which should be applied to any argument or act affecting this matter—Did it, or did it not, lean towards the side of freedom? Now, he would ask the House to look for a moment to the last carefully prepared Circular. It said—

> "Any person professing or appearing to be a fugitive slave seeking admission to a ship belonging to Her Majesty on the high seas, the commander must bear in mind that, although Her Majesty's Government were desirous of mitigating slavery, yet Her Majesty's ships were not intended for the reception of persons other than their officers and crew."

This caution would seem to anybody who ever had any acquaintance with the way in which Her Majesty's ships were commanded, and the discipline which was maintained on board, a little superfluous; because they were not so roomy or commodious, not so abundantly provided with spare room, that either officers or crews would be extremely desirous of welcoming a large crowd of strangers on board. But the caution was confined to the case of slaves: there was no caution not to admit slave-owners or refugees of any kind but slaves. The Circular said—"Any person professing or appearing to be a fugitive slave." How was the officer, before admitting a man on board, to ascertain that he was a slave? How was he to know that? The hand of the landsman was apparent all through this Circular. The drawer of it apparently had an idea that the fugitive slave seeking protection came in by the door. The sort of way in which a slave usually claimed the protection of a British ship was by swimming to her; and coming in that way, they were to ask him who he was and so on. He (Mr. Whitbread) had seen a great many negroes—free and slave—in the water; and he declared that he could not form the slightest opinion from seeing a negro in the water whether he was a free man or a slave. Yet the naval officer was told that when a man came swimming to his ship he must make up his mind whether he was a slave before admitting him on board. The dialects spoken by the negroes differed very much, and many of them could not be understood without the aid of an interpreter; so that, according to this Circular, the captain would have to call in an interpreter to question this man while he was in the water as to who was his father and mother, and as to whether he professed to be a fugitive slave. He would ask whether the fact of a man thus seeking the protection of the British flag would not to most minds be *primâ facie* evidence that there was good reason for receiving him on board? "Not so," said the framers of the Circular; "you must first satisfy yourself before you receive the man on board that there is some sufficient reason for thus receiving him." Now, he did not think that this language, even if he admitted the law or the policy to be right, would sound in the ear of impartial judges as leaning towards freedom. The next paragraph in the Circular to which he desired to draw attention said to the commander of a British ship of war—

> "Within the territorial waters of a foreign State you are bound by the comity of nations, while maintaining the proper exemption of your ship from local jurisdiction, not to allow her to become a shelter for those who would be chargeable with a violation of the law of the place. If, therefore, while your ship is within the territorial waters of a State where slavery exists, a person professing or appearing to be a fugitive slave seeks admission into your ship, you will not admit him unless his life would be in manifest danger if he were not received on board. Should you in order to save him from this danger receive him, you ought not after the danger is past to permit him to continue on board; but you will not entertain any demand for his surrender, or enter into any examination as to his status."

As to "not entertaining any demand for his surrender," that was superfluous, because the slave was to be surrendered almost before any demand could possibly be made for him; and as to not entering "into any examination as to his status," he doubted whether the naval officer would understand what that meant. If wise, he would put but few questions to the slave, for fear he might be asking about the forbidden thing. The commander was told to "maintain the proper exemption of his ship from local jurisdiction," and that was immediately interpreted to mean that he should assist in enforcing on board his own vessel the local law of slavery. Let the House listen how all the strong words and all the hard words told against the slave. "You are bound by the comity of nations" not to shelter him. You will not admit him unless his life is in "manifest danger." "Should you" receive him after all this caution, then immediately the direct command—"you ought not to permit him to remain on board," he is to be given up. Let them observe how all the words told against the slave, and that the Circular was directed against the slave alone, and against the refugee of no other nation—only against the slave. He asked, did this lean towards the side of freedom? or, on the contrary, did not the whole of this paragraph weigh as heavily as language could weigh against the chances of the slave being taken on board? What it said, in fact, was this—"It is only when the slave's life is in imminent danger you are to take him on board; then be slow to receive him, and be quick to give him up." He might be asked at what his Resolution pointed, and whether he desired that our ships should be cities of refuge for every slave who desired to get on board, whether he were criminal or not. He said, certainly not; that he desired nothing of the kind. He knew very well that it was of the first necessity that a captain should have complete control over his ship, particularly as to who he admitted into it. The objection he had to the document was, that it was only levelled at the slave and not at the free man. He should like to say here that, as to holding out our ships as mere refuges for slaves, he did not think it the right way for this country to deal with the question of domestic slavery. If domestic slavery was to be approached it should be by some open, avowed, and recognized manner. It would not, he thought, be a dignified course for a great country to pursue to attempt to deal with it by merely taking a few slaves here and there from the grasp of slavery and transporting them to another place, for the result would be only to embitter the lives of those who remained behind, and probably seriously to hamper us in dealing with the question of the Slave Trade.

Whenever the question of domestic slavery was approached — and approached it must be at a day not so far distant as some might suppose—he could not help thinking there were forces already at work which before long must break down that institution —it must be dealt with by an attack on the institution itself. As to the reception of slaves, all he desired was that we should revert to the practice which prevailed before the two Circulars were issued, of leaving to our officers the discretion of receiving on board their ships under their protection a slave, if they were of opinion that there were special circumstances in the case which justified them in taking that course. Let him for a moment ask the House to consider what would be the probable working of the Circular to which he wished to call their particular attention. What was the plain English of the words "not permit him to remain on board?" They could not mean that when the slave was on board one of our ships the commanding officer should go up to him and say —"Mind, I have not given you permission to be here," and yet take no steps to remove him. He was sure his right hon. Friend the First Lord of the Admiralty would not construe the language of the Circular in that manner, and tell him not to permit a slave to remain on board, but to take steps to remove him. It was misleading language, and did not in that respect compare well with the July document for which every one had a bad word, but in favour of which he was glad to be able to say at least this. Whoever drew that Circular knew his mind and spoke it frankly; but his law was bad. It was admitted to be so; but it had the advantage of speaking in clear language. It said that the slave was to be surrendered; and that was the meaning of "not permitting him to remain on board." No other construction could be put upon those words. But in the first Circular there was one crumb of comfort for the poor slave, put in, he believed, at the instance of the Admiralty, and that was, that when he was about to be surrendered the commanding officer should try to make favourable terms for him; even this was omitted from the second Circular. It was a hard and dry document, made as severe against the slave as language could possibly make it. It seemed to him that whoever had drawn up that Circular must have felt the indignation with which the first had been regarded by the English public, and must have argued with himself that "surrender" was an ugly word, of which it was desirable to get rid. So he employed instead language which he thought he was not describing unfairly when he characterized it as an attempt to say to the British public—"We do not surrender the slave," and to the slaveowner, "We do not keep him"—language with which he supposed the latter was very well satisfied. Let the House picture to itself a slave taken on board one of Her Mejesty's ships after a long swim for his life and in a state of exhaustion. The risk to his life being over, the captain might say to the poor man—"You can be permitted to stop here no longer;" and where, then, was he to go? On the shore there were the slaveowner and his assistants, while in the bay there were the sharks in waiting for him. Well, the Circular which was drawn for the assistance of our officers spoke of "when the danger is past;" but was it so easy for them to decide when that was the case? Let him put a case by way of illustration. Suppose a slave came on board a ship after a hot pursuit, the commanding officer might, perhaps, acting on the humane suggestion contained in the first Circular, go on shore and ask the slaveowner if he was still angry with his fugitive slave, and whether he would spare him if he returned. The slaveowner replies—"I was very angry, but I have cooled down; he is a good slave, and if he comes back I will forgive him." The captain goes back to the slave and says—"Your master will forgive you, the danger to your life is past, my orders are imperative, and you must be put ashore." But suppose the slave were to turn round and say—"Do you know what my offence was? I was speaking to some of my fellow-slaves on their condition, and upon our hopes of setting ourselves free. We heard that your country had set at liberty a vast number of our race on the other side of the Continent, and that many others who in a distant country were set free within the last few years are now producing more as free labourers than they ever produced as slaves. We wish no harm to our master, but we desire to have our liberty too; but this is just the sort of thing which my master cannot bear, and to hear me speaking in that way would drive him into an ungovernable passion. He caught me doing so some time ago, and punished me severely; you may see the marks. He threatened that if I were to do so again he would use me still worse, and you can judge whether he is likely to carry out his threat or not. If I go back, something tells me I must again speak to my fellows in the same way, and I shall have to bear the consequences." Would not the officer at once see in in the poor slave before him one in whom the undying flame had been lit—the true passionate yearning for freedom which once kindled could hardly be kept under, and, he thanked God, could never be quite extinguished. But the Circular was imperative. The danger being past, the man must be sent back, now if that man stood true to his convictions, and for them met his death—it would have an ugly appearance when the story came to be known in this country, and would prevent one from wishing to be too closely connected with the department which had approved the transaction. But it might be said that, under such circumstances as he had just mentioned, where there was a certainty of the slave being punished, the commanding officer would be justified in detaining him. If, however, the man was not sent back, what became of the good understanding which it was sought to establish with the slaveowner, whom the Government were so anxious to conciliate? He would remind us of our bond, and would insist that, in accordance with it, his slave should be restored to him when the moment of danger was past; and he would have good ground for urging his claim under the circumstances. But it might be answered that the point was one which was not likely to arise, that the African slaves were too degraded, and that such a person as he had just sketched did not exist among them. Now, he at once admitted that persons of that character were very rare among the slave population. Otherwise the House would not now be discussing this question, for slavery would long ago have been abolished. But the country could not go on dealing with Africa as we were now doing, buying here, colonizing there, freeing slaves by thousands, and planting them in States to work for themselves, driving roads through Africa everywhere for the spread of commerce and for the purpose of scientific investigation, even for sport, and expect that doing this, and teaching the Natives the use of our weapons and also a knowledge of our language, the last thing they would learn would be some of our ideas of personal freedom. It was clear the question was one which might arise any day, and we should then find it, he thought, somewhat difficult to draw a distinction between the punishment of slaves for that class of offences and political refugees. He wondered who asked to have this document drawn for his assistance. There was, he might add, a most instructive Return, which had been moved for by the hon. Member for Paisley (Mr. W. Holms), and which he held in his hand, of all the cases in which during the last 10 years British officers on foreign stations had asked for instructions with regard to slaves, and it appeared that Sir Leopold Heath was the only one who had done so during that time. He wished to know who really asked for the Circular. [Mr. GATHORNE HARDY: Lord Northbrook.] He (Mr. Whitbread) did not think it was Lord Northbrook who asked for a General Slave Circular, but that it was the lawyers, because they disliked being repeatedly asked their opinion upon cases as they arose, and therefore it was said it would be better to make an order of general application and get rid of questions being put to them. The Circular was said to be for the guidance of our officers; but it would really place them in an embarrassing position. Had those who drew the Circular ever considered how hard it was upon a British officer going out upon an errand of which heretofore anyone might have been proud, but now with this Admiralty Circular on his table, dreading above all things lest an appeal from some helpless slave should be made to him—having no choice but strictly to obey his orders—yet knowing that the very act which, in obedience to his orders, he had to do, would be looked upon with indignation by his countrymen. As regarded the reception of slaves on board Her Majesty's ships, there was only one practicable rule. It ought to be left to the discretion of the officer in command to deal with each case on the spot, knowing all the circumstances; he did not think it possible for all the Law Officers of the Crown or for a Royal Commission to draw up a Circular on the reception of slaves that would stand, for two reasons. First it was impossible to draw up a general Circular applicable to the conditions of slavery in different quarters of the globe, because the whole circumstances of slavery differed widely in different quarters; secondly, if the Circular embraced every case which ought to be received, there might as well be no Circular at all. If it excluded cases which ought to be received, the public opinion of the country would not tolerate it. He wanted to know upon what grounds this country could be required to take, on board our own ships, any steps that would directly recognize or aid in the maintenance of slavery? The Resolutions which he had the honour of moving aimed at treating fugitive slaves on board Her Majesty's ships according to the law of England, and if others thought that some different law ought to prevail on board our ships it was for them to make out their case, and not for him to make out his. In dealing with the question, whether our law on this question ought to prevail as against the local law, some consideration must be had for the object for which our ships were sent out, which was the suppression of the Slave Trade; and England in endeavouring to suppress the Slave Trade felt that if the trade was suppressed, the institution of slavery was at an end. Yet it was contended that on board our own ships, sent abroad with this very object, we ought to recognize that which the law of England had repeatedly refused to recognize in any way. He could quite understand that courtesy to foreign Powers might make us use very great caution and discretion in the reception of persons on board our vessels; but when once they were on board, without any fault on our part, if there were any meaning in the word exterritoriality—if there was any meanin the phrase that a British ship in territorial waters was under the Municipal law—the law of England—he failed to see how it could possibly be contended that we were to administer on board our ships any fraction of the law of slavery. He did not believe such an obligation existed; but preferred to believe the dictum of Mr. Justice Holroyd, who, in the famous case of "Forbes *v.* Cockrane," tried in 1822, relating to certain slaves who had escaped from Florida on board a British ship, said of the slave—

> "He ceases to be a slave in England only because there is no law which sanctions his detention in slavery; for the same reason he would cease to be a slave the moment he landed on the supposed newly discovered island. In this case, indeed, the fugitives did not escape to any island belonging to England, but they went on board an English ship—which for this purpose may be considered a floating island—and in that ship they became subject to the English laws alone. They then stood in the same situation in this respect as if they had come to an island colonized by the English. It was not a wrongful act in the defendants to receive them; quite the contrary. The moment they got on board the English ship, there was an end of any right which the plaintiff had by the Spanish laws acquired over them as slaves. They had got beyond the control of their master, and beyond the territory where the law recognizing them as slaves prevailed; they were under the protection of another power."

What he wanted to know was, whether it would be a wrongful act on the part of an officer commanding a ship of war to receive a slave on board. He maintained that the officer certainly had a right to receive the slave, and why, then, should we actively take steps to have the fugitive delivered up? What power had we to order officers to remove a fugitive from a vessel on the ground that he was a slave? Supposing the slave were to resist, the possible legal consequences to our officers ought to be taken into consideration. Again, supposing that a slave were to be taken on board because he was in danger in consequence of an *emeute*, what would his position on board be while the danger lasted? He must be either a slave or a free man; and it could hardly be maintained that he could be enfranchised one day and enslaved again the next. If they felt bound to give him up as a slave, what was he in the meantime? But if they detained him, so as to give him up, what law authorized it? Or might the slave escape from the British ship to some other vessel—thus using his stay on board the British ship merely as a means to baffle the pursuit? It would be a very undignified position, in order to get out of the difficulty, to let the man escape. If a man was not to be free as soon as he got under the British flag, when was he to be so? Was he to wait until he touched English soil? If so, they must give up the decision in the great case of Forbes *v.* Cochrane; but perhaps it would be said that he was free only when the ship got out of territorial waters and was on the high seas. Then see the absurdity of the position if a slave happened to be taken on board just as the ship was leaving her anchorage for a short run out to sea of say a few hours duration, returning to her anchorage in the territorial waters in the evening. None of these regulations applied to the reception of the refugees of every nation. If the right of granting free asylums was to be maintained, he submitted that we could not adjust them to the colours of men, and say to the white man that he was free, but as the skin grew darker the protection was gradually lessened, until when they reached the jet black it vanished altogether. It might be urged that we should consult with foreign Powers and try to modify the international rules which applied to this question. But we did not want a Royal Commission to help us in communicating with foreign Powers. Parliament had been told in the Queen's Speech that our relations with foreign Powers were of the most cordial kind. Let the Government, then, make use of these cordial relations with foreign Powers and earn the gratitude of the human race by taking a step forward in this question. At any rate, if they were going to consult foreign Powers, it became doubly necessary for Parliament to interpose and put an end to the doubts cast by the July and the more recent Circular as to the mind of the English people, by laying down some clear line of demarcation beyond which this country was not prepared to go in the direction of expediency, and by which it was determined to abide upon the ground of principle. Perhaps the Government were so fast bound in the toils of their Law Officers that they could not stir hand or foot. In that case he must appeal to independent Members on both sides of the House. In criticizing the Circulars issued by the present Government he had not referred specifically to the instructions and orders of former Governments, for the simple reason that the last Circular was that more immediately before the House, and was the latest exposition of the views of the Government. In drawing the Motion, too, and in what he had said, he had endeavoured not needlessly to impart any Party bitterness to this question. At times of national danger independent Members on both sides must rally round the Government. But when any great principle, cherished by the country, was threatened it became the duty of independent Members to intimate to the Government that their policy was not approved. On this question the House of Commons had never been consulted. The Prime Minister had said that he did not like secret instructions on this subject, and he had good reason for saying so, if they had been open the Government would never have been put into the position of having to acknowledge their mistake, or, what was still worse, of having to defend it, for the opinion of the country would have been given as unequivocally at any former period within the last 40 years as it had been given on the present occasion. Now that the question had been raised, the House of Commons could not shirk its responsibility. It was bad when a Department made a mistake; it was bad when the Government followed the action of the Department; but what would be said if the House of Commons, speaking for the British nation, declared that it had not made up its mind and failed to set matters right? Were we to tell the whole world that, though during all these years our cruisers had been on foreign coasts trying to suppress the slave trade, we could not now make up our minds as to the position of a slave taken on board one of Her Majesty's ships? If this House did not know its mind, it stood well-nigh alone on this question; for there was not a town or county in which the vast majority, present at any fair and open meeting, would not at once see through the web of technicalities with which some had endeavoured to surround the question and pronounce for a clear and decided line of policy. Perhaps it would be said that this was a question which constituencies did not understand — this was a lawyer's question. Well, once before the House had received a stinging rebuke from the Law Courts about slavery. Speaking in 1822, Chief Justice Best said—

> "It is matter of pride to me to recollect that, whilst economists and politicians were recommending to the legislature the protection of this traffic, and senators were framing statues for its promotion, and declaring it a benefit to the country, the judges of the land, above the age in which they lived, standing upon the high ground of natural rights, and disdaining to bend to the lower doctrine of expediency, declared that slavery was inconsistent with the genius of the English constitution, and that human beings could not be the subject matter of property. As a lawyer, I speak of that early determination, when a different doctrine was prevailing in the senate, with a considerable degree of professional pride."

He might well be proud of that determination. The House should remember, then, that another tribunal might possibly be called upon to decide this question, and to lay down the law. Did the House desire to wait for another rebuke from the Law Courts, all the more biting and severe because these judgments had been for 50 years before their eyes, and they had failed to read them? Did the House desire to wait till they were again told that they were unworthy guardians of the great principle of freedom for the slave upon British soil? Or did they mean to wait until a worse thing happened—when England halting found herself left behind in the race and the slave learned to feel himself safer under another flag? England in the past had made this question her own; but there was now another people on whom similar motives might operate, and who might vie with us in this race. He thanked the House for the attention with which they had listened to him. The marked silence with which his remarks had been received by the other side of the House would fain make him believe that in opinion at all events they were not for apart. At any rate, for himself, feeling well assured that he was asking nothing contrary to the principles of International Law, rightly understood—feeling confident, too, that he was only giving expression to convictions so deep and widespread that they might be truly called part of the faith of the nation—he earnestly invited the House, in the terms of the Resolution which stood in his name, firmly, clearly, and once for all to claim for England that she did not allow herself to be under any bond to recognize, aid, or enforce on board the Queen's ships, be they where they might, the hateful law of slavery. The hon. Gentleman concluded by moving his Resolutions.

Motion made, and Question proposed,

> "That, in the opinion of this House, a Slave once admitted to the protection of the British Flag should be treated while on board one of Her Majesty's ships as if he were free, and should not be removed from or ordered to leave the ship on the ground of slavery."—(*Mr. Whitbread.*)

MR. HANBURY in rising to move, as an Amendment—

> "That, in the opinion of this House, and in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships"—

said, he thought it was a subject for congratulation that the Motion had fallen into the hands of one so sure to treat it in a spirit of moderation as the hon. Member for Bedford. The question raised by the Motion was one in which both sides of the House had an equal interest. The slavery policy of this country and the maintenance of its maritime rights were each of them a national inheritance, with which no Government, whether Liberal or Conservative, would be allowed to tamper; and any Government attempting such a course would richly deserve the condemnation of the country. In dealing with this question of slavery, however, we must recollect that we were not the only people concerned, and that the subject was one which involved very delicate and difficult matters of International Law, which could not be determined by generous impulse alone—certainly not by generous impulse fortified by a strong admixture of Party animus. Whatever might be the view entertained outside, within the House, at all events, they were bound to pass from irresponsible declamation to a consideration of the bare facts of the case. Hatred of slavery was not the monopoly of any one party or class, and the question they had to consider was, not what we wished to do, for on that point there was no sort of doubt, but what we could do legally and of right. The law or comity which regulated the intercourse of nations was too delicate an instrument to handle rudely or hastily, and in dealing with it without due deliberation we might find that we were setting precedents in the case of small and weak States which might hereafter be used against ourselves by the great and strong. If there was one country in the world which must necessarily have a respect for International Law it must be an insular nation like ourselves, with a world-wide commerce and many distant dependencies; and the one question therefore now was whether, if we intended to be regulated in our actions by the Law of Nations, as he presumed we did, we could do that which the Motion asked us to do? There were two sets of circumstances in which we had to deal with slaves. Turning first to the case of slaves on board our ships on the high seas, he must premise that he had not risen to defend the terms of the first Circular—whether anyone would attempt to defend it he did not know—but that Circular had been withdrawn by Her Majesty's Government, it had been explained and apologized for, and it was now dead and buried; and he should be surprised if any hon. Member played the part of a vulture and raked it up out of its grave—because, should he do so, the country would not thank him for his trouble. What they had to do was to endeavour to benefit the slave, not to make political capital out of him. That being the case, he did not think there could be much objection to the second Circular, as far as it dealt with the case of slaves on board our ships on the high seas, in which case they were not to be surrendered to their owners, but were, on the contrary, to be cared for and landed in a place of security. If we were to go further than this, we should have the English Fleet turned into a refuge for criminals. The real difficulty arose with reference to the Queen's ships in the territorial waters of other Powers. Nobody denied that the captain of a ship had jurisdiction over his own crew in territorial waters; but the question was, whether he had jurisdiction over the subjects of a foreign State who might come on board his ship? If they had no jurisdiction, everyone who came on board, be he slave or political refugee, must be given up; if he had this right, everybody would be only too glad that he should be able to receive such refugees on board his ship. What was the law on this subject that had been laid down by Chief Justice Best in the case of "Forbes *v.* Cochrane," to which the hon. Member had referred? That learned Judge had said, referring to certain slaves on board an English ship—

> "The moment they put their feet on board of a British man-of-war not lying within the waters of East Florida—there undoubtedly the laws of that country would prevail—those persons who before had been slaves were free."

He was surprised that the hon. Member should have referred to a case that told so strongly against him as that did. In drawing up their Circular the Government were fettered not only with legal precedents such as this, but by the practice of preceding Liberal Governments, because in every case in which a slave had been ordered to be given up, that order had been given by some one of the party now sitting on the opposite benches. The opinions of Lord Palmerston, who took the greatest interest in this question, and knew more about it than anyone else, were well known, and they were expressed in reference to the case that occurred in 1837 of a slave who had secreted himself on board Her Majesty's ship *Romney* in the harbour of Havana. The commander of that vessel, Lieutenant Jenkin, delivered the slave over to the authorities at Havana, and Lord Palmerston, on the 5th of January, 1838, in his official communication on the subject said—

> "With reference to your despatch of the 10th October, containing your correspondence with Lieutenant Jenkin, commanding the *Romney* hulk, relative to a negro who had secreted himself on board that vessel, and whom Lieutenant Jenkin had given up to the local authorities, I have to acquaint you that the course pursued by Lieutenant Jenkin iu this case appears to me to have been right and proper."

And not only did Lord Palmerston express that opinion, but he communicated with the British Ambassador at Madrid, and directed him to give official notice to the Spanish Government of his approval of what had been done. Passing over many other precedents, he came to what had occurred in 1870, when a most important despatch was sent by Mr. Hammond — now Lord Hammond — to the Secretary of the Admiralty, under the direction of Lord Clarendon. That despatch was as follows:—

> "I am directed by the Earl of Clarendon to acknowledge the receipt of your letter of the 7th ultimo, inclosing a letter from the Commander of Her Majesty's naval forces on the East Coast of Africa, relative to the complaints preferred against the Commanders of Her Ma-

jesty's ships *Nymph* and *Dryad*, by the Hova authorities, with regard to their proceedings in carrying off and then liberating certain domestic slaves at Majunga, who swam off to those vessels to escape from their masters, and in destroying certain slave dhows at the same port, and I am to state to you in reply, for the information of the Lords Commissioners of the Admiralty, that Lord Clarendon conceives that the Commanders of Her Majesty's ships *Nymph* and *Dryad* were not justified in sailing away with the slaves in question in the manner above set forth. The *status* of slavery being acknowledged and lawful in Madagascar, the commander of a British ship-of-war is not borne out in depriving the inhabitants of slaves who are rightfully their property, and the owners of such slaves are plainly entitled to compensation from us for the losses incurred at our hands by their abduction. If a British cruizer were at sea beyond the territorial jurisdiction of Madagascar, and slaves on shore were to seize a boat to escape to the British ship, the case would be different, and we might then fairly decline to surrender persons received on board under such circumstances: it is, however, impossible to approve the conduct of Her Majesty's officers in cases like the present, the facts of which simply amount to the entry into the waters of a friendly Power of a British ship, and to her depriving the subjects of that Power of their lawful property. Such a course can, moreover, have no other effect than to indispose the natives and authorities towards us, and would in all probability tend to prevent their carrying out their engagements for the suppression of the Slave Trade."

It subsequently turned out that the persons carried away by the *Dryad* were free men. But Lord Clarendon, in a subsequent despatch, said—

> "I was not aware that it could be proved that any of the escaped slaves had been imported into Madagascar in violation of the Treaty, which would doubtless give them a claim to British protection; but I am of opinion that the commanders of Her Majesty's cruizers are not justified, where slavery is legal, in receiving fugitive domestic slaves on board their vessels, or in carrying them away in spite of the local authorities."

In 1871 the following instructions appeared in the East Indian Station Orders:—

> "Art. 147. Her Majesty's Minister for Foreign Affairs has decided that slaves coming on board ships-of-war within the territorial jurisdiction of the country from which they escape, that is to say, within three miles of the shore, should be returned to the owners; but when it appears that slaves coming on board Her Majesty's ships have been recently imported in violation of Treaties, the commanders of Her Majesty's ships should communicate the facts to the Consul, with a view to proper inquiry being made, rather than carry off the slaves on their own responsibility.
>
> "Art. 148. With reference to the course to be pursued in the case of slaves captured by Her Majesty's cruizers who may prove to have been kidnapped within the territories of the Sultan of Zanzibar, Her Majesty's Government is of opinion that slaves in the above category captured within the Sultan's territories or waters should, for the future, be restored to the proper authorities at Zanzibar; but that slaves captured on the high seas, or without the jurisdiction of the Sultan, ought not to be given up to the Zanzibar authorities."

The statement he had made and the documents he had quoted up to this point settled the question as far as preceding Governments were concerned, and when he was asked why the Circulars were issued, he could only say that Her Majesty's Government were tied down by the laws enacted and the precedents set by former Administrations; and if they erred at all, it had been in taking the part of the slaves and going beyond what the law actually gave them power to do by ignoring the right of any persons to hold human beings in domestic slavery. The second Circular clearly could not be withdrawn. If it were withdrawn, the Circulars issued by preceding Liberal Governments would again come into force — Circulars far more stringent and far less favourable to the slave. The hon. Member for Bedford was placed in this awkward position—either Lord Palmerston, Lord Clarendon, and those who acted with them were guilty of issuing these stringent Circulars and despatches when International Law gave them the right to harbour the domestic slave, or International Law did not give that right—in which case the Motion of the hon. Member was a direct appeal to a breach of that International Law. For his part he put more faith in Lord Palmerston than in the semi-philanthropic, semi-political meetings which had lately professed to decide the law. But the late Liberal Governments had not only hampered the present Government by their practice and by their Circulars, but they had bound the nation by a distinct promise given to the Natives, that they would not interfere with domestic slavery. Thus in 1865 was issued the following general instruction for the guidance of naval officers employed in the suppression of the Slave Trade:—

> "In your intercourse with the natives you will endeavour to conciliate their good-will by kindness and forbearance, and will take care that the officers and men under your command shall do the same. You will take special care not to offend the prejudices of the natives, and you will make allowance for any jealousy or

distrust with which you may be met. You will impress upon the natives the earnest desire of Great Britain for the improvement of their condition, and will clearly point out to them the distinction between the export of slaves which Great Britain is determined to put down, and the system of domestic slavery with which she does not claim to interfere."

In addition to this Lord Russell, in a despatch dated March 4, 1864, clearly laid it down that Her Majesty's Government did not claim the right to interfere with the status of domestic slaves; and later on, in 1869, a Circular of instruction was issued in which it was stated that—

"Slave trade must be carefully distinguished from slavery: with which, as existing in foreign States, or on board foreign ships, not being in British territorial waters, Her Majesty's Government does not claim, either by Treaty or otherwise, to interfere."

They were placed in this awkward dilemma—either to break the faith and solemn word of this nation, or, in order to escape from the trammels in which preceding Governments had placed them, to appoint a Royal Commission, who might deal with the question by Treaty or otherwise. He was sorry to find that Her Majesty's Government in issuing the Circulars was not only hampered by the decisions on International Law, by the Circulars, the despatches, and the promises of their Liberal Predecessors, but that in 1873 an Act was passed by the late Government, of which the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was a Member, sweeping away every Act which from 1824 to 1862 had protected the slave populations of the world. The old system of Buxton and Clarkson and Wilberforce was to compensate the owners of slaves who escaped by getting on board British ships, whenever we had no Treaty on the subject with the country to which the slaveowner belonged; but under the rule of rigid economy inaugurated by the Liberal Party, philanthropy at other people's expense became the rule, and it was proposed instead of compensating slaveowners for their liberated property to deprive them of their slaves by force. Under the old policy, £20,000,000 was spent in compensation to our own subjects in the West Indies, £900,000 in compensation to Spain, £600,000 for a similar purpose to Portugal, and very nearly £1,000,000 in compensation to foreign private slaveowners. That was undoubtedly a right principle to act upon, and it was their generosity, their philanthropy, which really cost us something, which won us the admiration of the world. If that principle was carried out in reference to great States of European origin, why were their rules or opinions to be forced upon small oriental States, which stood in a much better position in regard to slavery than the former, because in Asia and Africa it was not an exotic—an unnatural growth as it was in America and the West Indies, but a native product which had existed from time immemorial, and one which had been mitigated and modified by a host of usages and long centuries of custom. That being so, he did protest most emphatically against having one rule for weak and poor States, and another for those which were rich and powerful. The power of compensation was swept away by the Act of 1873, and so were also the elaborate provisions of the Act of 1824, that secured the future welfare of the slave; and what now remained was, that the Consul who condemned the slave had power to send him to anybody he liked, failing Treasury regulations on the subject. It simply amounted to this, that, instead of the open, acknowledged policy which formerly prevailed in this country upon this subject—a policy which everybody understood—we now had a secret policy, under which slaves were to be dealt with by Treasury regulations, and nobody was to know what would be done with them. The late Government had swept away provisions supporting those slaves that were captured—not simply the few that took refuge on board our own vessels, but the thousands that were taken in the ordinary pursuit of the slave trade; and it was, at present, a national disgrace that all these slaves were maintained since 1873 by two private societies, without the expenditure of one shilling by this country. In 1870 a Committee strongly urged upon the Government that the Imperial Treasury should provide funds for the maintenance of slaves rescued by Her Majesty's agents in Zanzibar from slavery; but Lord Granville, writing to Dr. Kirk on the 17th of March, 1874, concluded his despatch as follows:—

"I have nothing to add to the instructions I sent to you on the 10th inst. I will only add

> that, in consequence of a recent decision of the Treasury, no additional expense can be incurred for the present, as proposed in the Report of the Committee, in increasing the staff of the Agency at Zanzibar or the naval force employed in the suppression of the slave trade on the East Coast, or in appointing consular agents along the coast to control the traffic within the limits to be regulated by treaty."

Nay, so far did matters go that, as appeared from the Report of the Commons' Committee, 1871, a proposal to divide between the Indian and Imperial Exchequer the cost of maintaining the Agency and Consulate at Zanzibar, in which the India Office concurred, "was negatived by the Treasury," the consequence of which was that—

> "The Secretary of State for India in Council had informed the Secretary of State for Foreign Affairs that the Foreign Office would no longer be privileged to send any instructions to the Zanzibar Agent, and the whole matter, therefore, was brought to a deadlock."

In short, the Slave Trade Department of the Foreign Office was then and there abolished. He was reading the other day a biography of the noble Lord who took so intense an interest in the question of slavery — Lord Palmerston; and what did he say about the conduct of those Governments for which he could speak in respect to it? He said—

> "No First Lord and no Board of Admiralty have ever felt any interest in the suppression of the Slave Trade or taken any steps of their own free will towards its accomplishment; and whatever they have done in compliance with the wishes of others, they have done grudgingly and imperfectly."

Now, there were many reasons why the House could not settle the question that night. He had shown that if the slave was to derive any benefit from their action in the matter, they were bound to restore the old policy of this country—the policy which had been swept away by a preceding Government—namely, that of compensating the slaveowner and finding a refuge for the slave. It was somewhat curious to remark the conduct of Gentlemen opposite on this question. At first there was a great outcry about the Circular; the popular feeling was worked upon, and violent denunciations were indulged in. About that time the right hon. Gentleman the Member for Birmingham (Mr. John Bright) addressed his constituents, and what did he say in reference to this, the burning question of the day? He was expected to curse his enemies, but an honest Statesman with an uneasy conscience could not curse. The right hon. Gentleman contented himself with this remark—"The case was not so simple as was supposed." And, again, in a less guarded moment, he said—"Why publish any Circular at all?" Why not in short maintain the old Liberal policy of surrendering the fugitive slave and saying nothing about it? That was what the question of the right hon. Gentleman amounted to — and what way, he asked, would the right hon. Gentleman vote tonight? The case, as he himself admitted, was not so simple. It could not be decided off-hand, and in spite of all those difficulties of International Law which existed, and of all those obstacles which the right hon. Gentleman's own Colleagues had placed in the way. And were those who thought so little of municipal law, that when a great State was involved—when they had negotiations with the United States were ready to sacrifice our municipal law to International Law—were they going tonight, when the question only dealt with small States, to over-ride International Law and place in its stead that municipal law of which on another occasion they thought so little? If so, he could only say it was, indeed, a fortunate circumstance that slavery no longer existed in the great State to which he had referred. He thought it had been discovered by this time that a Royal Commission was no extinguisher under which Her Majesty's Government could retire from their present position. It would be found that it was absolutely necessary in order to stretch our municipal law as far as it could be stretched in favour of the slave. And what were the objections urged to the course proposed to be taken? It was said that it would tend to delay. Well, a Paper had been laid upon the Table of the House showing how many fugitive slaves had had to be dealt with during a considerable time, and it appeared that they amounted to just six in 15 years. Surely, then, there was no such necessity for great speed as hon. Gentlemen opposite seemed to suppose. It was not only the case of fugitive slaves, for which Her Majesty's Government had done their best, that the Commission would have to consider, but also that of those victims of the slave trade for whom the late Government had done its worst. Again, they would have to make sure that by interfering with the status of domestic slavery they did not make the lot of the slave worse than it was before. It should be remembered, too, that when we suppressed the slave trade at sea it was carried on by land, and in a far more horrible manner than it had been at sea. The Pacific too was becoming a great highway for our commerce, and the islands of the Pacific were teeming with slavery. It would be necessary that rules should be drawn up for dealing with slavery in those waters. Then, again, within recent years the only two countries of Europe which still maintained slavery—Turkey and Egypt—had been admitted into the European brotherhood, and even if we had not a right to interfere with domestic slavery in those countries, we had a fair claim, considering the nature of our relations with those countries, to urge upon them that their flag should never cover slavery as it still did on the high seas. Turkey was spreading fast in those countries where slavery was most difficult and dangerous to deal with, so that that aspect of the question was one of growing importance. Now was the time to obtain from those Powers the right of search, and he thought they had a fair right also to ask the same right of the French Government, as there were parts of the world in which the flag of France covered the slave trade. There was another and more urgent reason why a Royal Commission should issue, and it was this—that public opinion was excited upon this question in a way in which it had not been excited for many years. This, then, was the time for the Government to act, and he had no doubt that an open policy—repudiating altogether those secret instructions which had been too long the rule—would meet with the approval of the House and the country. It was a policy which would enable the public to see what was being done, with a full appreciation of the whole case in the light which would be thrown upon it by the Commission. It was one also which would enable the Government—having the whole country at their back—to deal finally and conclusively with this important question. The hon. Gentleman concluded by moving the Amendment.

Amendment proposed,

To leave out from the word "House" to the end of the Question, in order to add the words "in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships,"—(*Mr. Hanbury,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. W. E. FORSTER said, that the latter part of the hon. Gentleman's speech was not a reply to his hon. Friend, nor was it a defence of his own proposition, but rather an attack upon the late Government for having by their action fettered the present Government in this matter, and set them an example which they could not avoid following. It might appear somewhat bold for a Member of the late Government immediately to rise and say he earnestly desired to support the Motion which his hon. Friend (Mr. Whitbread) had submitted to the House. There was one part of the attack of the hon. Gentleman which he would shortly deal with in which he referred to himself (Mr. W. E. Forster) and to the Act of 1873 which repealed the former Slave Trade Acts or the greater part of them, and re-enacted them by a Consolidated Act. Had he been aware that the hon. Gentleman would refer to that Act he should have carefully read it through, and also the Acts which it replaced; but of this he was perfectly sure—that neither in the Act itself nor in the statutes which it replaced was there any provision whatever affecting the position of fugitive slaves on board Her Majesty's ships. If the hon. Gentleman thought that the Act of 1873, in dealing with the actions of our officers in putting down the slave trade placed them in a disadvantageous position as compared with the previous one, he should only be too glad that it should be fairly considered; but that was really only leading them away from the subject before them. There might be differences of opinion as to the best way of carrying out our policy of putting down the slave trade; but the question before the House now was, what the captains of British ships should do when fugitive slaves took refuge on board. The hon. Member for Tamworth (Mr. Hanbury) had referred to a case in 1836 in which Lord Palmerston was concerned. That was a long time ago; and if the hon. Member would refer to the first page of the Appendix it would be seen that the affair was not so clear and disparaging against Lord Palmerston as it had been attempted to make out. It occurred a very short time after our abolition of slavery, and there was reason to believe that the man referred to had been sent on board as a trap to get the commander into a difficulty, and that he was not a fugitive slave. The hon. Member had also referred to a letter written by Lord Clarendon in 1870. It might be said that he (Mr. W. E. Forster), as a Member of the Government of that day, was in a sense responsible for that letter, and so he was. The right hon. Gentleman opposite (Mr. Disraeli) had set the House an example in the way of accepting responsibility the other night. He told them he was responsible for the first Slave Circular, although he never saw it before it was published. The letter of Lord Clarendon's, he believed, never came before the Cabinet at all, and he did not happen to be a Member of the Cabinet at that time, and certainly never heard of this letter until the Government had issued their second Circular. Although he did not think that the letter of 1870 prevented either him or any other Gentleman who sat on that Bench from expressing his opinion on the Motion before the House, he was ready to admit this amount of responsibility with regard to it—that it put him and every other Member of the late Government in the position that they would be very much to blame if they took advantage of the Motion to turn it into a Party attack. For himself, he regretted those letters of Lord Clarendon, and wished he had closed his Correspondence on the subject of fugitive slaves in 1856. In a letter written at that date on a case that occurred in Brazil, he defined the law and policy of this country. It was a case in which the master of a merchant vessel was supposed to have taken slaves away. Lord Clarendon gave instructions that the masters of British merchant vessels should be warned of the liabilities they incurred by harbouring slaves on board their ships with a view to carry them away. He said—

> "As merchant vessels are subject to the law and jurisdiction of the country in whose ports they may be, it was right that warning should be given to the masters of British vessels with regard to this matter; but it should be borne in mind that if a slave were to take refuge on board a British ship of war, it will still, as heretofore, be the duty of the captain to refuse to surrender such slave.

The case which elicited this opinion from Lord Clarendon did not occur with a weak State like Madagascar or Mozambique, but with Brazil and when the United States was still a great slave-holding Power. He was sorry that Lord Clarendon did not abide by that letter. But although he very much regretted the Correspondence to which he had referred, he was glad of it for one result. He was glad that it had the result of making it impossible that this question could be considered a Party affair. They very often said on both sides of the House that they did not think the matter in hand a Party affair; but there were old associations which would make him ashamed of himself if he were to turn any anti-slavery question into a Party matter. The Motion said—

> "That an humble Address be presented to Her Majesty, humbly praying Her Majesty that all Circulars, Instructions, or Orders heretofore issued contravening the foregoing Resolution, or limiting the discretion of commanding officers in respect of the reception of such persons on board Her Majesty's ships, shall be withdrawn."

He believed that the Station Order issued in consequence of Lord Clarendon's letter was still in force, and in so far as the Motion conveyed any censure at all, it was a censure on the preceding Government as much as the present Government. That must not be forgotten. One word with regard to the Station Order. The hon. Member opposite (Mr. Hanbury) seemed to suppose that it was a distinct act of the late Government, as compared with Lord Clarendon's letter, but it was nothing of the kind. It was an order issued by the commander of the East Indies squadron some time after he had received Lord Clarendon's letter, simply carrying out the terms of that letter. This was what the House had before it. They had the Resolution giving the opinion of the

House with regard to fugitive slaves, and they had the request that an Address should be presented to Her Majesty asking for all Circulars and Orders to be withdrawn. He wished to repeat that the Motion of his hon. Friend the Member for Bedford was not brought forward or supported as a Party attack on the present Government, and there could be no Party defeat or humiliation in the acceptance of the Motion. If the first Slave Circular had been in existence, that remark would not have applied. Both sides of the House ought, in fact, to take counsel together as to what should become of fugitive slaves who might obtain the protection of the British flag, remembering that the British Navy was the strongest in the world, and that the British people were proud of having been the champions of freedom for the slave. He was not going to say a word about the first Circular, for that was not now before the House. He did not know whether the Attorney General would think it necessary to speak upon it; but he agreed with the Prime Minister that the country now was only interested in the second Circular. It said that commanders of British vessels should not receive fugitive slaves unless their lives were endangered. It did not expressly say that the slaves should be surrendered; but if a captain were told that directly the danger was over the slave was to be put on shore, there was no doubt the effect was that he would be left to the tender mercies of his master. He would not enter into the question of International Law, for two reasons—first, because there were many lawyers who would take part in the debate this evening; and secondly, because it seemed to him there was no substantial difference of opinion between the Government and his hon. Friend the Member for Bedford on the matter. He apprehended that the British Government had adopted the principle that the British ship was under British law, and he apprehended they had adopted it for the reason that they had recalled their first Circular, which seemed to deny it, while in the second Circular they ordered the captains to maintain the proper exemption of their ships from local jurisdiction. Nevertheless, they, in fact, ordered the captains to surrender fugitives; and the question was, would the House of Commons sanction this, remembering that the rule from 1856 to 1870 was precisely the opposite; remembering also the position of our captains in the matter, our obligation to consider their feelings, and that they had not asked for these instructions, but that they had generally decided these matters in a straightforward and sensible manner, and in a way which might have been advantageously followed by our Admiralty and Foreign Office under both Governments? A naval officer had written a letter to *The Times* mentioning instances in which he had rescued fugitive slaves whom he could not have received if his discretion had been limited at the time by the existence of this second Circular. On the first night of the Session the Prime Minister gave a different reason from the hon. Member for Tamworth for the issue of a Circular; the Prime Minister said that officers on foreign stations found themselves innocently committing illegal acts, which led to actions being brought against them and the recovery of damages, which had to be paid for them by this country, and that it was easy to understand why they should appeal for Circular instructions. He did not know if the right hon. Gentleman the Secretary of State for War intended to rest his reasons for issuing the Circular on the same ground as that taken by the Prime Minister, and he thought the House on this question ought to look at the Returns which were sent round only this morning. What did those Returns say? Why, that—

> "No distinct case has occurred during the last 10 years relating to fugitive slaves which has ended in an action being brought against a British naval officer."

It followed that there had been no appeals by captains because no actions had been brought against them and no damages recovered. Now, where was the reason for the Circular? The Return proceeded to mention an "analogous case;" but the official who drew up the Paper must have done so with a slight touch of humour, for the analogous case was as different as possible. It was a case in which one of our ships engaged in putting down the slave trade went into a port and seized a dhow on which there were three women who on inquiry turned out to be voluntary passengers and free women. In this case, then, the captain, with the best possible intentions, got into a difficulty through supposing that the women were captured slaves. The House had before it the second Circular, which declared that in every case captains must put slaves ashore directly danger appeared to be over, and the Motion of the hon. Member for Bedford, which asserted that when a slave had obtained the protection of our flag he should be treated as a free man. He could not understand the House having any hesitation as between giving its sanction to the Circular and adopting the Resolution. It was not met with a denial, for the Government could not support and the House would not assent to a denial, but it was met with a proposal to wait for information from a Commission. Did the House wish the Circular to remain in force until the Commissioners reported? The country did not wish it, and not a single constituency would sanction such a course, which involved the denial of freedom to those who had been admitted to our protection. What were they to wait for? The Amendment spoke of the instructions that had been issued; but they were all embodied in the Papers produced, which of course, when the Government first thought of a Commission, they intended to refer to the Commission rather than to Parliament. The House was perfectly well able to form an opinion upon the instructions without the aid of a Commission. The next point of inquiry was as to "the international obligations of this country." He challenged the production of any Treaty by which our power as regarded the reception of slaves on board war ships was in the slightest degree affected; and, if the Amendment referred to the interpretation of International Law, the Government could obtain the highest legal advice from the Lord Chancellor and their Law Officers without attempting to shift the burden of responsibility by placing it upon a Commission. It had been said that another reason for the Commission was the attitude of other States in their treatment of domestic slaves on board national ships. Were we bound to look at the attitude of other countries with regard to this matter? We knew what the attitude of Spain and Portugal was; but even the attitude of France or Germany ought not to have weight with us. He admitted there was one country to whose attitude they ought to look with some anxiety — namely, the United States of America. They were formerly the greatest slave-owning Power; but at the cost of hundreds of millions of money and hundreds of thousands of lives, they had become on anti-slavery Power, and he should be sorry if they, whilst we were waiting for the Report of a Commission, should take an attitude that ought to be taken by us, and issue a Circular that would put to shame both our captains and our country. No, it was an excuse, not information, that was wanted. If that had been required, it would have been obtained, no doubt, before the issue of the first Circular, or at least before the issue of the second. He would wait for the Report of the Commission if he thought no harm would follow; but he thought there would be harm and danger in this course. There was a danger in the Circular remaining in force whilst the Commission was sitting; and secondly, there was a danger because they did not know how far they might be fettered by the Report of the Commission. He did not think this was a matter of sentiment. On the contrary, he looked upon it as a very practical affair. The Prime Minister had spoken of the necessity of ascertaining the law upon the subject, and considering whether by negotiation and treaty with other countries any desirable amendments could be effected; but the freedom of a human being who once gained the protection of the British flag was not a matter which could be left to negotiation or the Report of a Commission; and the question was a very practical one in its bearings upon the continuance of slavery and the slave trade in other parts of the world, for, in spite of all our earnest efforts to put them down, the coolie traffic and other new forms of this evil rendered the danger of any reactionary step almost as great as ever. He should be very sorry to be supposed to imagine that the present Government were not as much in earnest as to the suppression of slavery as any Government that ever existed. No man could have watched them without being convinced of that, especially having regard to the part which Lord Carnarvon had taken in this matter. He was glad to acknowledge that his hon. Friend the

Under Secretary for Foreign Affairs had been most active in his endeavours to put down the slave trade as well as slavery, and he was sure that his hon. Friend had set out upon his work in the most willing spirit. Whenever he had spoken on this matter, one thing was quite clear, that he had not only spoken officially, but as of a matter which he had thoroughly at heart. But this was only an additional reason why he thought the Government should take advantage of the Motion of his hon. Friend and accept it as an expression of the opinion of both sides of the House. He was sure if they did so it would be no humiliation on their part; they would rather gain honour and improve their position in the House. However, that was not his concern. His duty was as an independent Member, and he did say this, that if they were to have a Commission—and he supposed a Commission was now appointed and that they must have it—that Commission might be useful if it occupied itself in devising better means for putting down the slave trade. But let it not be hampered by the issue of any Circular or Order. On the contrary, let them have this fact to assist them—that it was the opinion of the House, that if any miserable slave man or slave woman, under any circumtances, or in any way, had once been admitted to the protection of our flag, that slave should be treated as a free man or woman by the Representatives of our Queen, our rule, our principles, and our freedom. The character of the captain of a Queen's ship was that of such a representative. He believed such was the opinion of that House, as he was sure it was the conviction of the country, and he trusted that it would be looked upon as the determination of both, and would be carried into practice.

THE ATTORNEY GENERAL felt there was a sort of conflict between the burning desire this country had to suppress slavery, and the obligations it was under in regard to foreign States. The hon. Gentleman who moved the Resolution, in a most able and temperate speech, said the subject involved a question of law and a question of policy. He would endeavour to deal with both, although he was more particularly concerned with the question of law. They learnt pretty clearly from the Papers which had been laid on the Table why instructions had been issued on this subject. It seemed that the Government of India had become alive to the difficulties which arose in consequence of slaves—who were the property of the subjects of foreign States where slavery was legalized, States which were in amity with this country—having escaped from their masters and come on board our vessels lying either in the territorial waters of foreign States, or outside those territorial waters. The matter was, therefore, brought under the attention of the proper Department of the Government to be dealt with. The right hon. Member for Bradford (Mr. W. E. Forster) had referred to him in connection with the first Circular, and, as his name had been mixed up with it outside these walls, he might be permitted to say a few words on the subject. He did not pretend that the first Circular should be supported rather than the present one; but, as he had been attacked, he thought the House would allow him to make some short explanation and offer some comments upon it. The proper Department to take cognizance of the subject was the Foreign Office, which, taking into consideration the despatches received from India, after some little interval, sought the advice of the Law Officers of the Crown. The Law Officers of the Crown were then Sir John Karslake and Sir Richard Baggallay, assisted by the standing counsel for the Foreign Office, Dr. Deane. None of those gentlemen were there to defend the course they took or justify the opinion they gave, and he very much regretted their absence. Sir John Karslake, who then held the highest office of the three, had been exiled from the House by a calamity which they all regretted—a calamity which, he believed, had been brought upon him by his devotion and his arduous labours. Sir Richard Baggallay had been elevated to a high position on the Bench, and Dr. Deane did not possess the honour of a seat in that House; but those Gentlemen posssesed reputation and learning; they were accomplished, judicious lawyers, and their reputation would speak for them. Having been asked for their opinion upon this matter, they gave it. He was not going through that opinion; but it dealt with slaves getting on board Her Majesty's vessels in territorial waters and at sea, and that opinion was submitted to the proper authority. It did not touch on the question of slaves in a country with which this Government had a Treaty—slaves getting on board and claiming their freedom in terms of the Treaty. There were several Treaties with countries to this effect—that, after a certain date, slavery in those countries should cease, and everybody should be free, while up to that date every one in slavery should continue in it. The Government sought the opinion of the Law Officers. Sir Richard Baggallay was Attorney General, and he (Sir John Holker) had the honour to be Solicitor General. The opinion of the Law Officers and Dr. Deane would be found practically embodied in the Letter which was written by the Under Secretary for Foreign Affairs, and which was to be found in the Papers before the House. That Letter was submitted to the Law Officers, and they were asked whether it substantially conveyed the opinion they had expressed, and they said it did. That was all the explanation he had to make about that Letter. There was one little clause not originally in that Letter as it came under the attention of the Law Officers, but was inserted afterwards between the Foreign Office and the Admiralty—that in surrendering slaves certain steps should be taken to insure their proper treatment. That was what had been called by the Mover of the Resolution the crumb of comfort which the Circular contained. The Letter of the Under Secretary for Foreign Affairs having been laid before the Law Officers, and they having stated that it expressed their opinion substantially, he felt himself as responsible for the earlier opinion as for the later one just as much as any of his legal friends. He did not shrink from saying so; because, whatever opinion might be entertained by others, he believed that, in substance, the opinions on which the first Slave Circular was founded were right, and, except in one particular, were open to no objection whatever. He might be wrong; but the House would pardon him for expressing the opinion he entertained. The first Circular was framed on these opinions. It might be lacking in precision and accuracy of language—it was redundant, and, perhaps, dealing with the question of the surrender of slaves, it was open to greater objection, and on these grounds it was withdrawn. Both the original and the present Circular had been attacked not merely on account of the phraseology which had been used, but of the idea which that phraseology was intended to express, as conveying a false and erroneous notion of the law relating to slavery and as springing from a false idea of the policy which ought to be pursued towards the nations where slavery was law. Now, the first Circular dealt with slaves under three conditions—first, with slaves getting on board a British public vessel lying in the territorial waters of a foreign Power; secondly, with slaves getting on board a British public vessel lying outside territorial waters on the high seas, or outside the three-mile limit; and thirdly with slaves, or rather with persons who were the subjects of a Power with whom this country had a treaty, to the effect that after a certain date slavery should cease, and that up to that date all those in slavery should remain so, seeking refuge by resort to a British vessel, asserting that they were free, and asking that their freedom might be respected. Two different views seemed to be taken of the law on this matter. These views had not been propounded with distinctness except by the hon. Gentleman who opened this debate; but one might know what they were from what had been stated outside the House. The first view seemed to be that a slave who got on board a British public vessel was to be kept there, according to what was called "the popular doctrine," which had been advocated by the hon. Member for Bedford to-night, and in and out of the House by the right hon. Gentleman the Member for Bradford—namely, that the deck of that public vessel was to all intents and purposes British soil, and had the attributes of British soil, so that when a slave got there he was free. The hon. Member for Bedford contended that the slave was to be kept on board. [Mr. WHITBREAD: I did not say that he was to be kept there, but that he was not to be sent away.] Well, the slave was either to be kept there or not to be sent away. The lawyers said he was not be sent away; but that amounted to the same thing as saying that he was to be kept in the ship; because by the comity of nations, by the courtesy which one nation extended to another, the foreign Power in whose waters the vessel was lying would not, ought not to, and could not exercise any jurisdiction upon her deck. These were the two views presented of the question, and he would like to examine them to see whether they were sound in law. The matter was of the gravest possible moment. It was not represented by any one that the Government were desirous to protect slavery; but it was expedient to come to a conclusion as to the legal position of this question. Now, let the House consider the position of a British public vessel regarded as British soil, and lying, not merely in territorial waters, but in the harbour of a foreign State, pressing against the very wall of a foreign quay, with the foreign dominions stretching all around her. This was a matter worthy of the gravest consideration, because consequences of the gravest character would flow from this doctrine. He knew that it had been said by eminent writers on International Law that, in the waters of a foreign State, a public vessel was part of the territory of the country to which she belonged. But that expression was only used for the purpose of conveying in a short and succinct phrase the idea of the legal status of such a vessel, which it might take a long and involved statement, or perhaps a chapter to explain with accuracy. But nothing was more dangerous in dealing with a legal argument of any kind than a resort to metaphor; and on this question more error had arisen from the use of metaphor than from anything else. He did not say this merely for the purpose of defending his own view; but he might appeal to the authority of many eminent writers as to the abuse of metaphorical language. He would content himself, however, with quoting from one most eminent and accomplished, though diffident writer, "Historicus," who, in one of his letters to *The Times* 10 years ago, dealt with the question of metaphor, though not in connection with the subject now under discussion. Speaking of Bastiat, "Historicus" said that that acute writer in all the impatience of common sense had put up a prayer to Heaven to preserve us from metaphor, but that Heaven had not been pleased to hearken to his prayer; and he went on to say that images were pestilent enough in the domain of politics and religion, but nowhere were they more noxious than in the sanctuary of the law. Referring to the position that a neutral merchant vessel was an integral portion of neutral territory, "Historicus" said that the metaphor employed in the case assumed everything which it was intended to prove; and again, he said that to say a neutral merchant vessel in time of war was like neutral territory was to compare Hamlet's cloud to a weasel and to a whale. It was upon ideas of this kind that the whole argument of the popular orators on this subject was built up. To what extent might this go? If a public vessel of war was British soil, and had all the legal rights of British soil, the captain of such a vessel might not only receive on the deck of his ship one slave, but 100 slaves would have a right to swim there, and a slave or slaves who came on board with their master on business might claim their freedom, and the captain of the vessel must allow that claim. ["Hear, hear!"] Hon. Gentlemen said "Hear;" but had they no obligations, no duties to other nations as well as to slaves? Were they altogether to disregard and outrage the laws of a country with which they were at peace? If the argument of the hon. Gentleman opposite were well-founded, the commander of a vessel must receive on board his ship deserters, murderers, and felons of every description, and give them an asylum in his ship. That he (the Attorney General) maintained was a consequence which legitimately flowed from the doctrine that the deck of a public ship was equivalent to soil. It was very well for the inhabitants of this country to plume themselves upon their power and to talk with complacency of the slave-emancipating character of the British soil; but let us apply to ourselves that doctrine which we applied now to Powers who, perhaps, were not strong enough to resist our pretensions by force. Let us imagine that the public vessel of a State with which we had no treaty for the extradition of criminals was in Plymouth Harbour, that a score of convicts or a wretch who had committed murder sought refuge in that vessel. Let us imagine that when we made a request that those convicts or murderers who had escaped and gone on board that vessel should be put on shore, the commander thereof strongly refused to comply with the request on the ground that a foreign vessel was foreign shore. In such a case would he tamely submit to the doctrine which he had been contending for? Reference had been made to some legal authorities. He was not going to trouble the House with any discussion upon legal authorities, as though he were engaged in arguing this matter in one of the Courts of Westminster Hall; but he would just draw the attention of the House to this—that the legal authorities which had been cited and which might be cited went to this, and this only—that when a man was on English soil, or, if they liked, on board an English public or private ship on the high seas, he was absolutely free. Why was he free? Because the municipal law of England knew of no such thing as slavery, and did not allow any machinery to be put in force for the purpose of dominion being exercised by one man over his fellow-man. But that was the only reason why he was free. There was no magic in the British soil, or any other soil. Mr. Justice Holroyd in "Forbes *v.* Cochrane" said that a slave who arrived in England was a slave no longer, but simply because there was no law here to sanction his detention in slavery. Whilst, however, our municipal law did not recognize slavery, yet the law in this country did regard and hold sacred the law of other countries; and when the law of other countries was brought into play with reference to transactions which took place in other countries, that law had been repeatedly regarded in our Courts, and decisions had been pronounced on the footing that that law was right. In the judgment given by Sir William Scott (afterwards Lord Stowell) in the case of the *Louise*, we had this laid down in regard to the law of foreign countries. He said—

> "There are nations which adhere to the practice of trading in slaves with all the encouragements which their own law can give it. What is the doctrine of our Courts and of the Law of Nations in reference to them? Why, that their practice is to be respected; that their slaves, if taken, are to be restored to them, and, if not taken under an innocent mistake, are to be restored with costs and damages."

That was the opinion of one of the most eminent Judges, he (the Attorney General) supposed, who ever flourished in this or any other country. Then we had a case in which a British cruiser took a Spanish vessel and the slaves out of it. The question which came before the Court was, whether compensation could be obtained by a Spanish subject from the commander of a cruiser, not only for the detention and injury to his ship, but for the destruction of his property; and what did the law say about that? After a solemn discussion upon the question, it was held that the Spanish subject might maintain his action not only for the damage to his ship and the detention, but also for £18,000 the value of the slaves. So recently as 1860, in the Exchequer Chamber, one of the principal Appeal Courts in this country, it was decided that an action would lie on a contract made in Brazil for the sale of slaves, in the Courts of this country. He did not cite these authorities to controvert the doctrine that a slave coming to England was free; but to show that in our Courts the laws of foreign countries were always regarded and held in respect. His hon. and learned Friend the Member for Oxford (Sir William Harcourt) and some others entertained a specious view upon this subject. They said, in the first place, that it was a principle of International Law that a vessel in the territorial waters of a foreign Power could not have exercised over her any jurisdiction by that Power; and, assuming that to be law, they founded certain conclusions upon it, the principal one being that, because, owing to the comity of nations, a foreign Power would not exercise any jurisdiction upon the deck of a British vessel, therefore, if a slave came on board a British public vessel, he must be allowed to remain there. Now, it was not by any means clear to him (the Attorney General), that the International Law was what had been stated. If you referred to Marshal, you would find it much more qualified than it was stated by his hon. and learned Friend. If you referred to Story, you would find it qualified by this condition—that a ship in foreign water must behave herself in a friendly manner, and comply with the laws of that foreign State; and Chief Justice Best held that slaves might be claimed from a foreign ship of war in the waters of Florida. "Historicus" also laboured some months ago to establish the doctrine to which he (the Attorney General) had been referring. He did not say that the view of the authorities he had cited was the right view; but he said that what was the right view could not be decided except by a careful reference to all the authorities on the subject, and that the House of Commons was not the body by which such a matter could be satisfactorily settled. But even assuming, for the sake of argument, that a foreign State could not exercise jurisdiction over a British public in its own waters, it did not follow that a slave going on board that vessel was to be allowed to remain there. There was no obligation on the captain to let him, any more than any other stranger, remain on board, and the captain might tell him he must leave or be removed by force. That, it might be said, was a surrender of the slave. He cared not whether it was so or not. He had every compassion for the slave, but he was dealing with the question on legal principles; and the slave by coming on board had broken the law of his own country, and the captain who received and harboured him aided him in breaking that law, and also broke it himself. It did not matter whether the foreign State could obtain redress for that in her own Courts or not. It could obtain it by diplomatic remonstrance; and the same thing would happen if we encouraged a breach of the law of the place where our public ships lay; those ships would be turned away from waters where they had before been welcomed as friends. Again, if the commander of one of those vessels must thus disregard the municipal law and not in any way respect it, it would equally follow that, should any criminal get on board, the commander would be entitled to say that he must remain there, and that he could not recognize that law, as it did not apply to his ship. Therefore, according to the same argument, he would be obliged to receive a deserter or a criminal—nay, he might refuse to deliver up stolen property carried on board his vessel and concealed there. They might as well say, because an Ambassador was not subject to the municipal law of the country to which he was sent as our Representative, therefore he might with impunity break its laws whenever an opportunity occurred. This would be to graft upon that privilege the right to outrage that law. With regard to slaves getting on board our vessels upon the high seas, he knew that there had been great feeling expressed contrary to what was stated in the first Circular; but he trusted that they would not rush to the opinion that a thing was wrong simply because some one said it was wrong. A slave when he got on board a British ship, whether public or private, on the high seas, was undoubtedly free, because our municipal law, which prevailed on board, knew nothing of slavery; but what would happen when the vessel went back to the territorial waters of that man's own country? He had broken its law by getting on board that vessel, and his country had as much right to complain of his doing so as if he had got there in its territorial waters. He could not see that great distinction between the slave getting on board on the high seas and getting on board in territorial waters. In neither case was the captain under an obligation to treat the man as a slave as long as he remained on board, but he was entitled to say—"I can't allow you to remain any longer." The hon. Member who moved the Resolution seemed to think the commander of a British ship of war was bound to receive fugitive slaves on the high seas under all circumstances. But why? If a slave got on board such a ship on the high seas he generally escaped from the deck of a vessel of his own country; and if they applied the metaphor to which he had referred, the vessel of his own country was as much a part of that country's territory as the British ship was a part of ours. Therefore, he as much broke the law of his country by flying from a vessel such as that as when he got on board one of our ships in territorial waters. The Resolution proposed was a very seductive one. It meant that slaves on British vessels should not be interfered with. But look at the case of foreign nations with which we had Treaties for doing away with slavery. The nature of the Treaty generally was that the foreign Power should, after a certain date, abolish slavery; but up to that date those who were in slavery were to remain in slavery. Were such Treaties, obtained at great expense and trouble, in the interests of freedom, to be observed or not? If a man who alleged that he was free in virtue of such a Treaty got on board of a British ship-of-war, why should not her commander allow the man to make out his case, and, if his allegation proved correct, require the Treaty to be observed in his favour? On the other hand, if the slave's claim to be free was not made out, why, in equal fairness, was not the Treaty to be observed when it was in favour of the Government with whom we had concluded it? Could the solemn engagements of this country be set at nought on account of some popular clamour? It would not become him to find fault with the second Circular, which was infinitely more in favour of freedom than the first—more tender, so to speak, and less antagonistic to popular prejudice. Now, a word as to the policy that the Circulars indicated. It was said that they indicated that this country was desirous of pursuing some policy that had not been pursued by former Governments. They had heard of the "traditional policy" of this country with respect to slavery. He did not profess to know what that meant; but he knew this, that since the commencement of the century all the Governments of this country—Conservative and Liberal alike—had been eager in their desire to put an end to slavery by every means in their power. A mere glance at the Schedule to the Slave Trade Consolidation Act of 1873, with its numerous statutes and Treaties, would be quite sufficient to satisfy anyone what had been the policy of this country with respect to slavery. But it had never been suggested, as far as he knew, by any Government that because slavery was objectionable it was desirable to extinguish it by force—by disregarding and outraging the laws and institutions of foreign Powers. A reference to the Orders issued by the late Government would show that they took the very same view of the matter as the present Government had hitherto taken—namely, that although it was desirable by every legitimate means to put a stop to slavery, yet it was not to be done by disregarding the laws of other countries. He referred to those instructions not for the purpose of raising a blush to the cheeks of right hon. Gentlemen opposite—if that were possible—but simply to show what the policy of the country had been. The instructions issued by the present Government had been loudly assailed; but if right hon. Gentlemen opposite had borne in mind what they themselves had done they would probably have adopted a fairer and more moderate tone. For himself, he believed that the instructions, in spite of all that had been said, were founded upon a true sense of justice. It was only proper that we should deal fairly and justly with friendly nations, and treat them as we ourselves would desire to be treated. Well, if we did that—if we consulted the wishes of friendly nations—if we acquired the confidence and respect of those nations—if we entered into Treaties with them—we were much more likely to put a stop to slavery than by any mere grandiloquent talk about the freedom of the slave or any bluster about a down-trodden race. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) seemed to think that because England was powerful she could do what she liked with regard to slave-owning States which were insignificant and weak; but was it worthy of a great nation like this to play the bully by threatening only when her adversaries were feeble and oppressed?

Mr. W. HOLMS said, it had been suggested that provision should be made for compensating the owners of slaves; but the Return issued that morning showed that there had not been a single case in which owners of slaves had asked for compensation, and it was not usual in this country to give compensation that was not asked for. The result of giving compensation, he was afraid, would be that slave owners would be pleased to see their slaves take refuge on British ships. It had been asked why the Circular had been issued at all, and the question had been answered by the Prime Minister and Lord Derby, their answers being this—"We issued these instructions because they were necessary, and in accordance with law and precedent." The despatches of Lord Palmerston and Lord Clarendon had already been referred to, but there was this great distinction between them—that the former were issued privately, while the present Circular appeared to all the world as having been issued by the British Government, and issued notwithstanding that feeling in this country had been so strongly expressed against the policy on which it was drawn. He ventured to say that if the Station Order of 1871 had been made public, it would have received criticism as keen and opposition as strong as this Circular. The Circular was first of all drawn up under the guidance of the Attorney General, the late Attorney General (Sir Richard Baggallay), and Sir John Karslake, but doubts were said to have been thrown upon it by the Lord Chancellor, and the second Circular was issued under his guidance. It was not for him to say the value of a Lord Chancellor's opinion, compared with the opinion of three such eminent lawyers; but he might be excused if, amid such perplexity, he doubted if the second Circular was more in accordance with law than the first, and he doubted this all the more because it did not recognize the long-established decision that there was no difference between the soil of England and a British ship, and that while the commander of one of Her Majesty's ships was not bound to take slaves on board, once he let them on board he was bound to keep them. According to the Attorney General, this was only meant in a metaphorical sense, and he was very sorry to hear such a statement made by a Gentleman of so much eminence. If the decision of the Lord Chancellor was right, they must bring their practice and their policy into harmony with that opinion, or, by adopting the solution of the hon. Gentleman (Mr. Whitbread), again say that the law was now what it was in 1824. They must abandon either the position that the deck of a British vessel was as free as the soil of England, or the position that a slave was free when he touched British soil. The Prime Minister had given as a reason for issuing this Circular, that commanding officers got frequently into difficulties, and had actions brought against them. He was unable to find any foundation for that statement. He (Mr. Holms) had moved for the Return which had been issued that morning, and in which he had been careful to use the exact words of the Prime Minister. It commenced in 1838, and came up to the present date, thus extending over 37 years. Now, what did they find in that Return? They found that in these 37 years only seven cases had occurred of fugitive slaves taking refuge on board British ships, and in these only 15 persons were concerned. All these cases had been settled in an amicable manner, and he could not find a single instance in which any bad feeling arose between this country and those countries in whose territorial waters the slaves were met. There was not a single case in which an action had been brought, or damages incurred, or compensation given on account of slaves who had taken refuge on board British ships. He thought, under these circumstances, the Prime Minister should state precisely what were the grounds on which the Circular was considered necessary. The issue of the Circular seemed to be due to one circumstance, and to the representation of one man. On the 31st of August, 1873, one of Her Majesty's ships in the Persian Gulf saw 73 pearl boats in territorial waters, and when they went to sea the man-of-war followed. Immediately they saw they were followed they went back to the harbour, and the commander of the man-of-war consulted with the British Resident as to what he should do. The result was that a despatch was sent home to the Government, and that formed the groundwork of the hypothetical case given in the first Circular as the reason for its issue. It turned out that the place where that occurred was not in territorial waters, but on the high seas, and the slave was let free, and as the Circular gave no power to liberate slaves under such circumstances, it would not allay the fears of the political Resident, for whose benefit it was issued. Why, he asked, had the Government, who were asked for instructions in March, 1874, delayed their decision till the 31st July, 1875, when they issued their famous Circular? As to the Circular now in force, he would consider what would be its practical effect if its instructions were acted on. In one paragraph the commanding officer was told

> "that he is not to enter into any examination as to the status of the fugitive slave,"

And in the next he was instructed

> "should any person claim admission to your ship and protection on the ground that he has been kept in a state of slavery contrary to Treaties existing between Great Britain and the territory, you may receive him until the truth of his statement is examined into."

But it was a mockery to suppose that an ignorant slave, who could neither read nor write, and who certainly could have no means of access to a library of reference in order to find a particular Treaty, could make any such claim. In the Correspondence referred to, the House would find the reasons the slaves gave, and they were most instructive. In 1869 two slaves took refuge on board Her Majesty's ship *Nymph*. One said he had been abused by his master, and that he understood "the English had good hearts;" and the other said he knew "that once on board an English man-of-war he should be a slave no longer." This was a noble and inspiring thought to the poor slave, and he was sure the English people would not willingly allow it to be numbered with the things of the past. In another case five fugitive slaves escaped to Her Majesty's ship *Dryad* off the coast of Madagascar. The commander examined into their status and found that four of them were entitled to their freedom under the 17th section of the Treaty of 1865, and they were set at liberty with the concurrence of the authorities of Madagascar. Under the existing Circular the captain would have been prohibited from examining into the status of the slaves, and they would not have been permitted to remain on board, and would have been sent back to slavery; the authorities at Madagascar being thus enabled to set their Treaty engagement with us at defiance. As the Circular now stood, it appeared that if it had been penned by a committee of slave owners it could scarcely have been more in accordance with their wishes, or less in favour of the fugitive slaves. He had been unable to discover in the Correspondence one instance of a slave being enticed on board one of Her Majesty's ships, while there were several instances of their being refused admission. Therefore, it seemed to him that British officers might safely be left to their discretion, guided by such a general exposition of the law as was given to Colonel Petty in 1869 by the Indian Government, namely—

> "The commander of a British ship of war is not bound to receive fugitive slaves on board his vessel; yet if he does receive them they become free. And the commander of a British man-of-war would not only be authorised in refusing to surrender a slave who had found refuge on board his vessel, but would incur very serious legal responsibilities if he in any way attempted to coerce that slave to return to his master."

In this country there was a dislike to laws of a hard-and-fast character to meet peculiar and exceptional cases, and what could be more exceptional than the case of a fugitive slave? On an average, since 1838 only one had occurred every five years, and the whole number only affected 14 individuals, still more did the English people dislike what was supposed to be an official recognition of slavery; and therefore he should have great pleasure in supporting the Resolution of the hon. Member for Bedford. He did so the more willingly, as some doubt had recently been thrown on the earnestness of this country in suppressing the slave trade. In the Foreign Office might be found a Correspondence that took place in 1874, in which the United States Secretary for Foreign Affairs called attention to the fact that the trade in slaves was being carried on between Tripoli and Constantinople, by way of Malta, and alleging that it was connived at by the authorities of that island. A Commission appointed by Lord Derby to examine the circumstances acquitted the authorities of blame. This was communicated to the American Government, which merely acknowledged the communication, and expressed no agreement with the finding; but it had since appeared that their attention was still directed to discovering whether additional proof could not be found to show that the Maltese authorities were abetting slavery on British soil. Therefore, he said, it was the more necessary that as a nation we should do nothing to mark, or even appear to mark, a change in our policy; but that now, as formerly, we should fearlessly maintain the principle of the personal freedom of every man, of whatever race or colour, who might set foot on British soil, or on board a British man-of-war.

Sir JOHN HAY, as one of the few naval officers in the House who had had the honour of serving under the instructions and Treaties issued or agreed to by this country for the suppression of the slave trade, and, as far as might be, the doing away with domestic slavery in foreign countries, desired to say a few words on the subject under discussion. He entirely concurred with what the hon. Member for Bedford (Mr. Whitbread) had said respecting the first part of his Resolution, and he likewise concurred in the desire of his hon. Friend the Member for Tamworth (Mr. Hanbury) that this complicated question should be referred to a Royal Commission. At the same time, he was extremely desirous that naval officers should be relieved from the complicated instructions involved in the numerous Circulars which had been issued for their guidance. The letter of the Acting Resident in the Persian Gulf to Mr. Aitchison, in the Correspondence on the case of the *May Frere*, gave the belief of nine out of ten naval officers on this question when it said that—

"A commander was not bound to receive fugitive slaves on board his vessel; yet if he did receive them, they became free."

That he believed to be the recognized law of the country. The letter from which he quoted proceeded to say that—

"The commander of a British man-of-war would not only be authorized in refusing to surrender a slave who had found refuge on board his vessel, but would incur very serious legal responsibilities if he in any way attempted to coerce that slave to return to his master."

That appeared to be the whole creed of naval officers who had to carry out the duties entrusted to them; and he heard with great regret that any explanations or involved instructions had been conveyed to the Navy which would contradict this very clear exposition of what was their belief up to the time of the issue of these recent Circulars. Of course, he was not aware what other Circulars of a "more stringent character" had been issued; but it was hard to have those Circulars interfering with the just discretion of commanders. If it had been necessary to issue special instructions with regard to India, the Persian Gulf, and Zanzibar, they might have been of a local character, issued through the Naval Commander in Chief on the Station, and applicable only to each particular case. He disclaimed sympathy with any argument that made out the British ship-of-war to be a refuge for the destitute. Discipline had to be maintained on board Her Majesty's ships, and a slave would only get on board through the negligence of those in charge of the watch of the ship. Until he heard the opinion of the Attorney General that evening he had always believed that such a slave would become actually free; but the officer through whose negligence he came on board would be liable to trial by Court-martial for permitting that person to come on board when he had no business there. He had had the honour of serving in the West Indies, the East Indies, at the Cape of Good Hope, and in South America, and he had never heard of such an occurrence as a slave coming on board and claiming his freedom. It was the business of the officer in command to prevent any circumstance of the kind occurring, seeing it might give rise to international difficulties. Before the American Civil War Her Majesty's ships were cautioned not to go into Charlestown, New Orleans, and other ports, where a slave coming on board and *ipso facto* becoming free would occasion complications with a great nation which it was desired to avoid. He would be sorry if this Circular was allowed to continue in force longer than could possibly be helped, so as to throw upon naval officers greater difficulties with reference to this delicate duty. What he would say to the First Lord of the Treasury was—desire the Admiralty to suspend the action of the Circular, let the question be referred to the Royal Commission, and let the Navy continue to perform their duties as they had done for the last 37 years without leading to any national complications.

MR. EVELYN ASHLEY considered this an occasion on which the House of Commons was virtually called upon to pronounce an opinion whether we ought to assist the slaveholders in recovering fugitive slaves. If the House maintained the Circular, it would not merely be carrying out the intentions of those who by Treaty had bound us not to interfere with domestic slavery; but would be aiding the slaveowner in recovering what he considered to be his property. This could not be considered a Party question, for many hon. Gentlemen on the other side of the House were as much opposed to slavery as he was; but they might perhaps wrongly consider that they were called upon to rally round the Government when they had made a mistake, whereas the Government might put everything right by withdrawing this Circular. The temporary orders and instructions issued by preceding Governments to particular squadrons engaged in putting down the slave trade, and meant only for the eye of the commanders of those particular vessels, could not be justified, but were no precedents for the present action of the Government. These earlier orders treated slavery as only a temporary institution, and were not meant to convey an abiding principle of action; and there was an essential difference between them and Circulars adopted by the Cabinet, publicly addressed to the whole Navy, treating slavery as a permanent institution, and regarded by all the world as expressing the deliberate policy of England with reference to slavery. The hon. Member for Tamworth (Mr. Hanbury) said that we had always respected the so-called rights of slaveholding people in these matters. He would remind the hon. Member what we had done in 1816, when we bombarded Algiers and killed 7,000 Algerines to put down white slavery; and of the Aberdeen Act of 1845, which authorized the seizure of Brazilian vessels, even in Brazilian waters, because Brazil would not perform her Treaty engagements about the slave trade. If the House of Commons refused to adopt the Resolution which had been proposed, and which was made necessary by the issue forced upon it by the publication of the Papers before them, and by the issuing of these Circulars, they would be for the first time saying that England did recognize slavery—that she recognized it as a municipal law in other countries which she would as far as she could by her Imperial officers support and maintain. He considered the proposition of the hon. Member for Tamworth a most extraordinary one; for it declared that—

> "In order to maintain most effectually the right of personal liberty, it was desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of National ships."

To maintain personal liberty we were to delay rescinding a Circular which infringed it; and what had this country to do with the attitude of other States? We should never have taken one step in the direction we had taken if we had waited on the attitude of other States. As to the Royal Commission, the inquiry was sure to be instructive, but it was employing a Nasmyth's hammer to crack a nut, for the point at issue lay in a nutshell, and he was not willing to wait for the Report of the Royal Commission to abrogate the Circular. All that was wanted was that slaves should be treated on just the same footing as political refugees. The question had been forced upon the House by the action of the Government; it had been emphatically answered by the country, and he for one, and for once, should rejoice that there was a Conservative majority in this House, if it would only prove itself conservative of our consistency and reputation as an anti-slavery Power.

Mr. Evelyn Ashley

Mr. A. MILLS said, he thought it was scarcely consistent on the part of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) to ask the acceptance by the House of a Resolution which was practically an attack upon the Government, and, at the same time, to describe the proposal to refer the question to a Royal Commission as an excuse for delay. The appointment of a Royal Commission would at least have one good effect, if it only enlightened the right hon. Gentleman as to one point on which he appeared to be remarkably ignorant; he alluded to the Act of 1873, which was passed by a Government of which the right hon. Gentleman was a Member. The Slave Trade Consolidation Act of 1824, which might be described as the charter of fugitive and rescued slaves, as far as English legislation on the subject had proceeded up to that time, contained the following clause:—

> "Provided always, and be it further enacted, that in case any person or persons illegally held or detained in slavery shall hereafter, by shipwreck or otherwise, be cast upon, or shall escape to or arrive at any island or colony, fort, territory, or place under the dominion or in the possession of His Majesty, it shall and may be lawful for His Majesty, his heirs and successors, or for any such officers, civil or military, as aforesaid, to deal with, protect, and provide for any such person or persons, in such and the same manner as is hereinbefore directed with respect to persons condemned as prize of war or as forfeited under this Act."

The House might not be aware that this clause was repealed by the Act of 1873, the effect of which was very accurately described by a correspondent (Mr. Hutchinson), who wrote to Lady Burdett-Coutts as follows:—

> "In connection with the new Treaty of 1873 with Zanzibar two Acts of Parliament were passed. One, called the Slave Trade Consolidation Act, repeals nearly the whole of the original Act of 1824, obliterates at one stroke all the provisions which formed the safeguard of the slave—both rescued and escaped—and repeals all the Acts which confirm the Treaties with the 24 Powers already mentioned. In place of the careful provision for the rescued slave of the old Act, all it has to say is that they shall be disposed of in such manner, or delivered over to such persons, as the Court (the Consul) may adjudge, subject to the regulations (if any) from time to time made by the Treasury. It will at once be evident that the position of matters is changed. The Consul may now hand over slaves who have trod the deck of an English man-of-war to anyone; and as a fact, at this moment, the slaves rescued by our cruisers are handed over in the dominion of Zanzibar practi-

cally to become subjects of a Mahomedan slave-holding Prince. May not it be fairly said that this is, indeed, a retrograde policy, and utterly opposed to the real feeling and wishes of the English nation."

There seemed to be a great amount of ignorance prevailing upon this matter in the country generally. Not long ago Mr. Bouverie, a right hon. Gentleman, once a Member of that House, described the Liberal Party as "whistling for a wind." That "wind" came in the shape of these Circulars, and they were followed by numerous meetings in various parts of the country, at which a great amount of ignorance and exaggeration was shown. It was like Satan rebuking Sin for the authors of the Act of 1873 to condemn the Circulars issued by the present Government. He deprecated any attempt to make the present discussion an occasion for political *tu quoque.* Let them not lose the occasion of reviewing their policy in reference to the slave trade as well as in reference to fugitive slaves. The time had come when they should cease from Party recriminations, and he hoped that instead of amusing themselves by passing abstract Resolutions, which meant nothing and bound no one, they would go forward in this matter as became a nation which inherited traditions from its great men which had made England the champion of the oppressed and the friend of the slave. A few days ago the Prime Minister informed the House it would be in the power of the Commission to inquire into the entire question; and he therefore hoped that steps would be taken to secure a re-enactment of some provisions of the Act of 1824 which were repealed by the Act of 1873, and thus discourage the East African Slave Trade. This could not be really suppressed without sore sacrifices, which he believed the country would willingly make for the extinction of the trade both by land and sea; and by making some provision for the disposal of liberated slaves on the East Coast of Africa.

MR. OSBORNE MORGAN said, that this was a question too Imperial and world-wide in its interest to be settled by Party recrimination and by *tu quoque* arguments. On that side of the House they did not indulge in Party recriminations. He was not there to defend the acts of the past Government; but if the past Government had done wrong that did not make the action of the present Government right. He always approached the domain of International Law with fear and trembling, because International Law was not embodied in Acts of Parliament or judicial decisions, but had to be picked out from a number of text-writers who did not always agree either with each other or themselves. Although this applied generally, exceptions were, of course, to be found. Two principles of International Law were clear. The first was that no nation was bound in the absence of an Extradition Treaty to deliver up even a fugitive from justice, much less a fugitive from slavery. The second was that, to use the words of Mr. Justice Holroyd, a British man-of-war was for this purpose "a floating island of British territory," and that therefore a fugitive once admitted on board one of Her Majesty's ships should be as safe as if he were in Leicester Square. He believed that if it had been frankly stated at the outset that the first Circular was the result of the ill-considered opinion of the Law Officers of the Crown—and he would be the last to quarrel with an erroneous opinion on the part of a lawyer —the country would have brought in a verdict of extenuating circumstances, and the matter would have now been forgotten. It now appeared, however, that the Circular was the result of a lengthened period of gestation in the Foreign Office. The lines of the first Circular were traced in the letter which issued from the Foreign Office, on the 30th April, and it was issued on the 31st July, but was not withdrawn until the 6th October, and then only in deference to such an outcry from the country as was scarcely ever heard before. He thought they were entitled to some explanation of that delay. Then he came to the second Circular, which was issued by the advice of the Lord Chancellor, and they were told that it contained the true law on the question, and by which they should abide. It was certainly better than the first Circular to this extent—it admitted that on the high seas the deck of a British man-of-war was an asylum for everybody who was admitted to it; but it practically denied that right of asylum as far as territorial waters were concerned, and the authority of the Lord

Chancellor was quoted for that proposition. But were there no authorities the other way? Sir Travers Twiss, no mean authority, had gathered together and published in the last *Law Magazine* the opinion of distinguished jurists on the subject, and it amounted to this that "all public ships of war navigating or lying within the territorial waters of a foreign State are altogether exempt from its jurisdiction," and he added that that did not, of course, apply to merchant ships. The Attorney General had argued that merchant ships were liable to the law of the territory in whose waters they were—a proposition which no one denied; but it was not so with ships of war. The case of "Forbes *v.* Cochrane" had been relied on; but, as he read the decision in that case, it was a distinct authority for the ex-territoriality of British men-of-war in foreign waters. In his opinion, the Circulars were stereotyped declarations in favour of slavery. They would be construed most strongly against us by foreign States, and if the law they laid down was held to be good as regarded slaves, how could any other law be laid down with respect to political refugees? Suppose that during the Reign of Terror in Naples Baron Poerio or any other distinguished political prisoner had escaped from his prison and taken refuge on board a British man-of-war, upon the principle of the second Circular they would be bound to give him up; but was there a man in England—was there even a member of the Peace Society—who would not rather have gone to war than commit so dastardly an act as that? Why had the Government issued the Circular at all? Why had they not acted on the principle of Lord Melbourne's advice—"Can you not let it alone?" That was a sentiment eminently Conservative, and which might be commended to the consideration of a Conservative Government. But it was said that a Royal Commission would put everything right. For his part, he regarded a Royal Commission as a proof of weakness—particularly an *ex post facto* Commission. What was it to do? Was it to inquire whether the Lord Chancellor's law was sound? Was it to say whether the Government had done right in issuing the Circular? Was not that acting first and deliberating afterwards—hanging a man first, and then instituting an inquiry into the legality of his sentence? It was said that we ought to be guided by the practice of other nations in such matters, and that an inquiry into such practices was desirable. But the place of England in this matter had heretofore been in the van—he hoped it would not hereafter be in the ruck of nations. He thought they ought to preserve upon the records of that House an emphatic declaration, although it might be of the minority, that whatever this Government or that might do, the House of Commons, as representing the nation, was determined not to endorse a policy which he believed to be as contrary to the true principles of International Law as it was certainly repugnant to the cherished traditions of the British people.

Mr. RITCHIE said, he could assure the House that no dictates of Party feeling or Party allegiance would influence him on a question of so much national importance. He confessed he was somewhat surprised at the law as laid down by the Attorney General. He had a somewhat difficult task to perform, because there could be little doubt after the hon. and learned Gentleman's explanation that he with others was responsible for that Circular, and it was difficult for him to vindicate the first as well as the second Circular. If, however, the law on the subject had been laid down correctly in the first Circular, no stronger reason could be given for the necessity of a change in the law. The first Circular was, however, dead and buried, and it was to the second Circular that the House had to address itself. The great question before the House was, not whether we were to give every facility for setting fugitive slaves free, but what was the best way of doing it; and he did not think there was a great deal of difference in that respect between the Motion and the Amendment. The Government, seeing the different views taken by the legal authorities on the subject as to the state of the law, had taken a wise course in issuing a Commission composed of so many eminent men. The exact state of the law would in this way be ascertained; and as soon as the Government received the Report of the Commission they would direct their attention to the law relating to fugitive slaves, so as to make it agreeable to the feelings of the English people. He had come down to that House perfectly unbiassed as to the vote he should give; and, while he wished to state that he should not give his vote for Party purposes, yet, seeing that there was a conflict of opinion, and that the Government had appointed a Commission, he should vote with the Government in order that the law might be put on a satisfactory footing, with such Amendments as might be necessary.

SIR HENRY JAMES: Sir, difficult as my task may be, I will endeavour to follow the example that has been set by my hon. Friend the Member for Bedford (Mr. Whitbread), and my right hon. Friend the Member for Bradford (Mr. W. E. Forster)—I will do my best to refrain from uttering one word that shall contain in its tone any Party asperity; but the difficulty of my task results from the course taken by my hon. Friend the Member for Tamworth (Mr. Hanbury) and my hon. and learned Friend Her Majesty's Attorney General. But, notwithstanding the temptation, I will endeavour not to yield to it. My hon. Friend the Member for Tamworth has adverted to me personally as if I had stated that it would be an act of extradition for a captain of one of Her Majesty's vessels to remove from off his deck any person who was there, be he slave or freeman, and that he could not do so. Now, if I had said so, I should have said a very foolish thing. I never said anything of the kind; and as the hon. Member for Tamworth has fallen into the error of thinking I did, perhaps the House will allow me to read the very short sentence in which I expressed myself. What I said was this—

> "Apart from the fact that the law of slavery is unknown to us as a nation, and therefore that no one can be authorized to enforce it, I say that if the Admiralty had been dealing even with a fugitive criminal it ought not to have directed and could not legally direct the captain of a Queen's vessel to hold a quasi-judicial inquiry as to the fact of a man being a criminal, and then render him on account of that crime. That is, in effect, extradition, which involves and assumes exclusive British jurisdiction and British territory."

That is what I said, and what I adhere to; but it is very different from the words suggested by the hon. Member. The hon. Member for Tamworth had, I presume, the duty committed to him of making the first answer on the part of the Government—but the course he took in his very interesting speech was not to utter one sentence in defence of the second Circular. He turned, however, to those who sit on these benches, and said—"You have done worse than Her Majesty's Government. You so hampered them and fettered them by your previous Circulars and despatches that they were bound to issue this Circular." I am unwilling to reply to this complete *tu quoque* argument; but what did my hon. Friend refer to? He referred to a letter of Lord Palmerston, in 1836, as to the conduct of Lieutenant Jenkin. In that case Lieutenant Jenkin had not received a fugitive slave—he had discovered a stow-away on board his vessel, and he said—"I never received you; you must leave this ship;" and the course which Lord Palmerston took would be approved by most Ministers of the day. With that exception there is not one single document to be found supporting the policy of this Circular, until we come to the Instructions of Lord Clarendon in 1870. I am not going to defend that Circular—I think it wrong; but I should like to ask the hon. Member for Tamworth does he think it right or wrong? If he thinks it right, why does he attack Her Majesty's late Ministers for having issued it? If he thinks it wrong, why does he not join with us in voting for the Motion of the hon. Member for Bedford? The Resolution asks that all Circulars that contain anything opposed to the principle it laid down should be withdrawn. I admit that Lord Clarendon's Instructions are not in accordance with that principle; and I therefore claim the vote of the hon. Member in support of the Resolution. I am not about to discuss the weight of one Circular against the other; but I wish to say that there is this broad difference between the errors in Lord Clarendon's Circular and the errors in this—the present is a declaration of national policy published to the world after much consideration on the part of the Government, and after much caution given to them by the public feeling of this country. The Instructions of Lord Clarendon, I have authority for saying, were seen by no Law Officers of the Crown, and they were, I have reason to believe, issued without the knowledge of any Member of the Government to which Lord Clarendon belonged. Another argument which has been used as an attack on the late Government by the hon. Member for Exeter (Mr. A. Mills) is this—He asked the Liberal Party how they could make any complaint when they themselves passed the Act of 1873, which repealed some of the provisions of a previous Act which had been favourable to the slaves? Now, Sir, I read the statute of 1873 very differently. Every useful provision of the earlier Act was renewed in the Act of 1873, for which many who have now cheered the hon. Member for Tamworth were responsible as Members of the Parliament which passed it. Why did not some of the Members of the present Government, severe critics as they are of the acts of their Predecessors, come forward on that occasion as guardians of the interests of the slave? I now come to the speech of my hon and learned Friend the Attorney General, and I admit that I have great difficulty in dealing with that speech, and he knows better than any one why I have that difficulty. I think no Member of this House who saw my hon. and learned Friend take the course he did, accepting the full responsibility, and more, probably, than the amount of responsibility, which ought to fall upon his shoulders, could help feeling sympathy with him in the manly course he took. But I think he will expect that some of us should take notice of his speech. The Attorney General, speaking to some extent on the part of the Government, declares now, in words the weight and authority of which will be recognized, that in his opinion he still believes that an English ship of war going into the port of a foreign State is subject to the local laws and jurisdiction of that State. That is still the opinion of Her Majesty's principal Law Adviser, and he argues the point with some ingenuity.

The ATTORNEY GENERAL: I did not exactly say that. I said it was a doubtful point; but, admitting that it is so, I do not see that the consequences alleged would follow.

Sir HENRY JAMES: I am sorry that the Attorney General cannot now even come to a decision one way or the other. My hon. and learned Friend did say this—that he believed it was a correct assertion of principle that if one of the Queen's ships received on the high seas a slave on board, when that vessel came into the territorial waters of the State, it was subject to the law of that State, and that the slave ought to be surrendered. Now, how am I to deal with that argument? It is mere student's exercise to discuss with my hon. and learned Friend whether he be right as regards the first Circular. I did not come here to discuss that Circular at all. I wished that Circular to be forgotten, and even forgiven, as it had been withdrawn. But I have a double reason for not discussing it. It is not with me that my hon. and learned Friend must settle this question—it is with the Lord Chancellor and the Prime Minister. May I remind my hon. and learned Friend of the words of Lord Derby. On the first night of the Session Lord Derby said the Government suspended the first Circular, and subsequently withdrew it, because the opinion of the Lord Chancellor led them to believe that in the matter they had probably been wrongly, or, at any rate, doubtfully advised, and the Lord Chancellor entertained great doubts as to the soundness of the law laid down by the Law Advisers of the Crown; and this being so, the Government were not prepared, he said, to submit to the consequences of holding an untenable position. The Prime Minister also said that the Government were responsible for the first Circular, the country had condoned it, and that, in his opinion, the second Circular was a much more fitting subject for our consideration. Now, that is my opinion also, and it will, no doubt, be the opinion of the House. The Attorney General led the House rather to believe that the first Circular had been superseded because it was badly drafted, and the second therefore substituted for it. But the second Circular is a contradiction of the first. If, as the Attorney General contends, the first Circular correctly describes the rules of International Law, then the second involves a gross and flagrant breach of our international obligations. What I say is, that the second Circular contains an acceptance of obligations in favour of slavery which we are not called upon to fulfil, and which I think, therefore, ought to be withdrawn. I am sure the House will wish to avoid, as much as possible, any technical and legal discussion; but it is necessary to know what our international obligations are, and if it be found that there is within this Circular that which there ought not to be, then I am sure every single Member of this House will wish to see it withdrawn. But, in dealing with this as a question of policy, and not of law, it is necessary to consider what our international obligations are. I will not enter into the discussion of the question of extra-territoriality. I assume that it is established and admitted by Her Majesty's Government. The first Circular denied the extra-territoriality, but the second Circular asserts it, by instructing the captains of vessels very carefully to guard their immunity from local jurisdiction. On the other hand, I frankly say that there has been some misapprehension as to what extra-territoriality means. I do not mean for one moment, in alleging this extra-territoriality, to assert that British vessels can do as they like in foreign waters. They are perfectly exempt from local jurisdiction: no process can enter upon the vessel; no law can affect them against their will—but that extra-territoriality is, without doubt, subject to qualifications and conditions. Those on board a Queen's ship in entering upon foreign waters go there upon certain terms. They must do nothing to violate the laws of the place; and not only must they not commit any act in violation of the law of the place, but I admit that that qualification ought to be construed liberally in favour of the receiving State. Therefore, if a British captain going into a foreign port announced that his vessel had come there to receive slaves, come as many as thought proper; although in one sense that would be a passive reception of the slaves, yet I think it would be in violation of the law of the State. There is also another qualification of extra-territoriality—something which courtesy exacts which is not an international obligation. We are not called upon to enforce the law of the place—that is something undefined—something to be left to discretion—a courtesy, not an international obligation. There was a want of this discrimination on the part of the Attorney General, in arguing as he did in relation to the position of criminals. If the local authorities, as a matter of courtesy, ask a captain to assist them in enforcing justice or maintaining morality, the captain may comply with the request. In our own waters, for instance, if a murderer took refuge on board a foreign vessel no process could issue to remove the criminal, because the ship is exempt from our jurisdiction; the natural course would be to apply to the captain, and to ask him to do what was right by clearing his vessel of such a person. But this is not an international obligation—it is courtesy in relation to a matter in which the captain may exercise his discretion. The question, therefore, resolves itself, on examining the Circular, into a very narrow question indeed: but to lead to it we must come to the conclusion that the courtesy of which I have spoken, whilst it may cast on us the not unnatural obligation of assisting the authorities of a State to carry out the law which all nations will allow to be right and good, we can never be asked to enforce a law which is abhorrent to our nature and adverse to our institutions. We can never by courtesy be called upon to enforce such a law. If this was a law of human sacrifices instead of slavery—a law under which a widow was burned because her husband was dead, and a demand was made on a captain to give up a woman who had escaped from such a fate, I hope every captain in Her Majesty's Navy would say—"I will enforce no such law, because it is an unnatural law." I hope the House will see that no inconvenience can result from this that a captain, as complete governor of his own vessel, can receive whom he likes, can refuse to receive whom he likes, and can get rid of whom he likes. There is no claim upon him by which he is bound to receive a fugitive slave; he ought to exercise his own discretion. On the other hand, there is no obligation to remove one—he ought to exercise his discretion. I submit that the duty of a captain is to receive a slave and freeman alike, or to get rid of a slave and freeman alike, unless particular consequences would result to the slave which would render it a more serious matter to remove him. All, therefore, that is asked by those who are supporting the withdrawal of the Circular is, not that we should do anything to violate the law of slavery, but simply that we should not be called upon to support that law. Can exception be taken to the proposition? Are we out of courtesy to carry the slave law into effect with all its peculiarities in different States, after all we have done, after the proclamation we have made to the world that this is a law against which we are warring, and for the extermination of which we have spent much treasure and life? Can we be asked to enforce the law by virue merely of the courteous obligation to do that which is right to a foreign State? Let me point out where the second Circular errs against the proposition I have laid down. The effect of the first paragraph must be that the captain of a vessel on the high seas has to exercise particular caution in respect to him compared with what he exercises in receiving a free man. Why should he? On the high seas a vessel can know no obligation springing from International Law or courtesy to a slave-owning. Why, when on the high seas, are we to recognize the law of slavery in some far-off State, and say because an applicant for reception on board is the subject of a slave-owning State the greater caution is to be exercised in receiving him? The result of carrying this out will be that if two men are found in a water-logged vessel or raft on the high seas, the captain will tell the one who says he is a slave that he is near enough to land, and he cannot take him on board; but his companion who says he is a slaveowner will be readily received on board. Thus a practical recognition of slavery is made in a place where we ought not to notice it. Turn to the second paragraph—which is, perhaps, more important. It says—

> "If while your ship is within the territorial waters of a State where slavery exists a person professing or appearing to be a fugitive slave seeks admission into your ship, you will not admit him unless his life would be in danger if he were not received on board."

Is not that the same principle of enforcing the law of slavery, giving effect to it by making a distinction between the slave and the free man? I do not ask that the one shall be received on account of his slavery; I only ask that he shall not be sent away on that account. But you put him in a worse position than a freeman or even a criminal, and say he shall not be received unless his life is in danger. If I were asked, Does the second Circular contain any bad law? I should say I cannot tell—not because I doubt what the law is, but because I do not know whether this Circular contains any law at all. It seems to have been drawn by or under the sanction of the Lord Chancellor voluntarily, without any legal obligation. Then we have to discuss this as a question of policy. If it be not an obligation, the noble and learned Lord has drifted into a false position by way of apology, and to escape condemnation for the first Circular. Can the Government, and do they wish to, accept this as their policy? Unless, indeed, they feel that it is exacted from them; and when the matter is fairly discussed, we cannot find that there is any obligation on them. If this be matter of policy, there are one or two considerations to which I wish to refer. Some may ask the very natural question—what ought the captain to do when a slave appeals to him to be allowed to come or to remain on board? I would give him some such directions as this—

> "The captains of such of Her Majesty's ships as visit foreign ports or places are to take special care to avoid causing offence to the authorities or the inhabitants, and they are to cause all under their orders to show due deference to the established rights, ceremonies, customs, and regulations of such places, and conciliate as far as possible the goodwill and respect of the inhabitants."

That is the regulation now given to every captain, under which the right hon. and gallant Member for Stamford (Sir John Hay) and every other captain has had no difficulty in dealing with this question. If further direction is sought, it is not unimportant to know what are the directions given in respect to political refugees; and it is astonishing to find with how much greater consideration we treat the political offender than the slave. This is the direction now in existence to captains of vessels relating to political refugees in consequence of political disturbances or popular movements—

> "Refuge may be afforded to persons flying from imminent personal danger. In such cases care must be taken that refugees do not carry on from Her Majesty's ships correspondence with their partizans, and the earliest opportunity must be taken to transfer them to some place of safety."

Whilst, therefore, you may receive on board the refugee who may have committed some crime, the slave is not to be received unless his life is in danger; and while the refugee is to be taken to a place of personal safety, the slave is to be sent back, the moment he has escaped the personal danger, to the shore where his owner is. If the Government only treated the fugitive slave as they treat the political refugee there would be no complaint. Althought in the second Circular there is nothing said about surrender, but only that the slave is to be put on shore, that may be a very different thing as to our legal responsibility, but it is very much the same thing to the slave. I have shown what has been the policy in relation to the directions given to captains of the Queen's ships, and I have shown what has been our policy in regard to refugees. Even the hon. Member for Tamworth (Mr. Hanbury) cannot lay the blame of that direction to the Members of the late Government, for they were issued, I believe, by a former Conservative Lord of the Admiralty (Mr. Corry), and it is one that recommends itself to the feelings of every man in this country. There have been also two or three other evidences given by this House and by former Governments in regard to the policy of surrendering fugitive slaves. The question has been but seldom before Parliament, and seldom before the Government for their decision. But in 1826, 1827, and 1828, when America felt her strength and there was a powerful party in the States in favour of slavery, it felt very strongly the necessity, in relation to their interests, that fugitive slaves who escaped into Canada should be rendered up. A Motion was made and carried in the House of Representatives to that effect, directing that application should be made to this country. When that application came, although slavery existed at that time in our own Colonies, how did the Government of that day treat it? There is some interesting Correspondence to be found in our State Papers on this subject. The American Minister, writing to his Government on July 5, 1827, in reply to express directions to urge the Government of England to agree to a Treaty for rendering up fugitive slaves, said—

> "Mr. Addington told me that on one point Government had come to a conclusion, and it was utterly impossible for them to agree to a stipulation for the surrender of fugitive slaves,"

In 1827 there is a similar letter, and on October 2, 1828, the American Minister writes—

> "Lord Aberdeen said that in the present state of public feeling on the question, which he said might be called a mania"—

—[*A laugh.*]—it is a mania, Sir, which has grown chronic in this country—

> —"the application of a remedy was a matter of some delicacy."

The result was that the Government refused to enter into any such treaty as was asked for. Once again we have traces of the view entertained by Parliament on the subject—it was when the 15th & 16th of the Queen was passed, with the purpose of enabling the restoration of merchant seamen who had deserted from foreign ships in the ports of this country. It was then enacted that when it should appear to Her Majesty that due facilities would be given for apprehending seamen who had deserted from British ships in the territories of a foreign Power, Her Majesty might, by Order in Council, declare that seamen, not being slaves, who had deserted from the merchantmen of a subject of that Power in the territories of Her Majesty or of the East India Company might be lawfully apprehended and carried on board their respective ships. Let the House observe—"seamen, not being slaves." However undeserving they might be, if slaves, we refused to allow their apprehension. I cannot part from this question without considering why we are asked to delay in withdrawing this Circular. The hon. Member for Tamworth, without supporting the Circular, pleaded for delay. On what grounds? He asks for the delay in order that we may obtain information from the Report of the Royal Commission as to the Instructions from time to time issued to British naval officers. In the first place, allow me to inquire who is it asks for information about those Instructions? Why, it appears that Sir Leopold Heath is the only person who has asked for that information; and we are now appealed to for delay on the ground that that very person — Sir Leopold Heath—who is in want of information, should sit upon a Commission to instruct the House and the Government upon the points contained in the Amendment of my hon. Friend. And yet it appears that the only person who wants information can tell us, without going on the Commission, perfectly well what the law is. In the case of two slaves who came on board one of our ships, he wrote to the captain of the ship as follows:—

> "With respect to the demand made by the Government of Madagascar for the restoration of the slaves untruly said to have been carried off by force, and which, I presume, will stand good as to the two men in question, I suggest that you should point out to that Government that every man putting his foot upon English soil becomes *ipso facto* free, and that the deck of a British man-of-war is held constructively to be British territory, and, therefore, these men cannot be restored to their masters."

He adds that—

> "As England wages war against the Slave Trade only, and does not as yet pretend to interfere with the status of domestic slavery, it is possible that the English Government may, upon your application, grant compensation to the former owners of those two men."

That is the view of Sir Leopold Heath, the only demandant of information, who is to be put on a Commission to instruct Her Majesty's Government on a point of policy, or to reconcile the different opinions of the Lord Chancellor and the Law Officers of the Crown. Sir, whilst there may be many questions involved in this discussion, there is but one practical question to be determined by this vote. It is whether this proposition is to be accepted by Her Majesty's Government, without triumph to a Party or humiliation to them, now, or when the Royal Commission has reported. It is whether they will withdraw the Circular now, if there be any doubt on the law, so that there shall be no chance of any injustice being done to the slave, and leave it to be re-issued if right and necessary when the Commission has reported. Whether they do it now, or when the Royal Commission has reported, the result must be the same. There can be but one result. The right hon. Gentleman may have what advice he will. The Cabinet may counsel him, and the Law Officers give him assistance on points of law. He may use the great influence of his voice in this House to-night; his bidding may be done in the Lobby, and a majority may be obtained to him; the Royal Commission may report as it will—but this Circular from this moment is dead. A power greater than his has decreed it—a power from which there is no appeal. A freedom-loving people, moved by their instincts, following their traditions and the history of their race, have uttered this simple decree and judgment — that beneath their country's flag no slave can there be, nor shall any man be compelled to surrender his fellow-being to another.

Mr. GATHORNE HARDY said, that the eloquent speech that had just been addressed to them by the hon. and learned Gentleman was one that did credit alike to his intellect and to the feeling which he had no doubt the hon. and learned Gentleman shared with the great majority of that House. Her Majesty's Government was not there to-night to contend that a certain practice was most consistent with their own feelings, but that the second Slave Circular was not contrary to the law. The hon. and learned Gentleman himself had hesitated to say that that Circular was not in conformity with the law. The hon. and learned Gentleman told them that Sir Leopold Heath had laid down the law for them in the letter which he had read; but he had also told them that when Sir Leopold Heath had carried away the two slaves upon the occasion referred to on the ground that the slave that set his foot upon the deck of a British ship became at once free, he had advised that the country was bound in honour to pay compensation to the owners of the slaves so carried away. Compensation for what? If these men were already free, they had a right to freedom; and why was this country bound to compensate their former owners? To a great extent, he did not dispute the law laid down by the hon. and learned Gentleman. He was not going to dispute the fact that we had laid down the rule that a public ship was, to a large extent, extra-territorial, but that rule required to be carefully guarded. He scarcely thought that the hon. and learned Member for Oxford (Sir William Harcourt) would assent to the doctrine that had gained currency out-of-doors, that the extra-territoriality of a ship made her part of her country, and that wherever she went she carried her own laws and obligations with her, and was not subjected to the jurisdiction of any other State. It was impossible that that could be true to its fullest extent, because in matters of customs and quarantine she yielded to foreign jurisdiction. Suppose that two natives of the State in which the ship was quarrelled on board, what would have taken place if one killed the other? Would it be competent to bring the survivor home and try him here? He should like to know also whether in the event of a child the offspring of a foreigner being born on board one of our ships in a foreign port that child was entitled to the privileges of a native of this country? If not, the extra-territoriality of a ship was not so large as it had been stated to be. He could not help thinking that the right hon. Member for Bradford (Mr. W. E. Forster), who had roared like a lion at Bradford, had spoken like a lamb in that House. And whilst they were constantly being told that that was not a Party question, he should like to ask some of his independent Friends below the Gangway whether they had received one of those Circulars from the other side of the House which should have been addressed to them all if that were truly not a Party question; and besides, he was told that the independent Members upon whose votes they relied had been altogether neglected. The hon. Member who had brought forward this Motion had said that Her Majesty's Government ought to lay down some clear rule on this subject; but he should like to know whether his Motion laid down any very clear rule with regard to it. The rule that the hon. Member laid down was a discretionary one only, and what was a discretionary rule when it came to be examined? The right hon. and gallant Baronet the Member for Stamford (Sir John Hay) had told them that he could not help thinking that whenever a slave set his foot on board a British man-of-war he should be treated as free, but that we should take care that a slave never did set his foot on one; and the right hon. and gallant Baronet had also told them that when he was in command of a ship his men were in such admirable discipline that the case of a fugitive slave getting on board was unknown, and that if his officers had allowed such an occurrence they ought to have been tried by Court-martial. In Brazil our ships were supplied by boats manned by domestic slaves; suppose when those slaves in numbers were on board, his right hon. and gallant Friend suddenly turned round to them and said—"Here is a ship of war belonging to England, and if you wish to escape from your masters here is a means of escape," because it had been argued by a great many people that that might fairly be done. Could that be done with any sense of honour or dignity on the part of the British nation? His hon. Friend the Member for Bedford said the House was to say that there should be no foreign jurisdiction for our vessels, and he wanted that to be said by this Motion. Now, that was a thing that could not be done by a Motion, nor could it be done by an Act of Parliament. His hon. and learned Friend who had just spoken (Sir Henry James) had told the House that if the first Circular were law the mere withdrawal of that Circular would not in any sense free us from responsibility. If any nation said that was the law we should be bound to act upon it. So also if this second Circular were law we should be bound to act upon it. But they could not by Motions in the House of Commons or by Resolutions affect foreign countries. They might say by a Motion that this or that should be done; but foreign States would say—"You gave us fair notice that you were not going to do this, and we shall deprive you of the privileges you now enjoy." He believed it was by a tacit understanding that where a State admitted a man-of-war belonging to another State into her waters that man-of-war was to demean itself in a friendly manner, and in that way be admitted to the advantages of extra-territoriality, just as the privileges attached to an Ambassador's house might depend on the friendly demeanour of the Ambassador. As he happened to mention an Ambassador's house he wished to say one word as to political refugees, because a good deal had been said upon that subject. In a letter written by Lord Clarendon in 1870—and let it not be supposed that he brought in the name of Lord Clarendon specially with any view to discredit him, because Lord Clarendon was just as averse to slavery and the slave trade as any one then present—the noble Lord said to one of our Representatives in the United States that he was correct in informing Mr. Fish that the Representatives of Great Britain were instructed that the practice of granting an asylum to political refugees was highly objectionable, inasmuch as it involved diplomatists in disagreeable discussions. Lord Clarendon said that those instructions must be strictly adhered to, but that some discretion must be left to Her Majesty's Consuls where lives could be saved not only at the moment, but by giving time for reflection to the victorious party. He (Mr. Hardy) hoped in a short time to show that the Government, in dealing with this subject, had acted in accordance with the spirit of those instructions. His hon. and learned Friend had called their attention to a particular part of the Slave Instructions on which he (Mr. Hardy) could not then put his hand. No doubt, his hon. and learned Friend was accurate in his statement of that part of the instructions. But it must be remembered that the Slave Instructions which were sent out in 1865 were most carefully prepared by the President of the Committee, to whom the matter was referred—namely, Dr. Lushington, and no man was more adverse than Dr. Lushington—*clarum et venerabile nomen,* to the slave trade. But those instructions said something about domestic slavery. The hon. Member for Poole (Mr. Evelyn Ashley) said we never recognized slavery at all. The hon. Member must have confined his reading within very narrow limits. What were all their Treaties? They had an Act of Parliament—6 & 7 Vict.—laying down regulations as to the sale and transfer of slaves, except in certain places which were prohibited. How could that be done if slavery was not recognized where that took place? The hon. Member said they were not to recognize domestic slavery, but what said the instructions of Dr. Lushington, No. 394?

> "You will impress upon the Natives the earnest desire of Great Britain for the improvement of their condition, and will clearly point out the distinction between the export of slaves, which Great Britain is determined to put down, and the system of domestic slavery, with which she does not claim to interfere."

And not only that, when they came to look at the proceedings of the Foreign Office Committee in a Parliamentary Paper presented in 1871, they would find there instructions as to the traffic in domestic slaves — what was called the legal traffic within the country and within the waters of the country, so constantly brought into communication with our ships of war—and as to what was called the illegal slave trade proper, which they were engaged in putting down. And, therefore, for any one to assert that they did not recognize domestic slavery was one of the most extraordinary statements he ever heard. His right hon. Friend (Mr. Disraeli) had been taunted with having said something about difficulties which had arisen. They were told that because only one naval officer had applied for instruction no difficulties had arisen. He thought he might call attention to the case of the *Thetis,* which occurred the year before last, in which this country had to pay £20,000 damages for having seized slaves improperly. [An hon. MEMBER: Not fugitive slaves.] He did not say that they were fugitive slaves. But he said this—that when hon. Members said that when a slave was once admitted to the protection of the British flag he should be treated as if he were free, and not ordered to leave the ship and return to slavery, they must not look to fugitive slaves only, but to all slaves who might come under the protection of the British flag. He would refer hon. Members to the Act of 1873, which applied to the restoration of slaves, and not simply to the receiving them; and he would admit that they were in a certain sense responsible for that Act. It was called a consolidation of the Slave Trade Act, and passed without a word of comment in either House of Parliament. That Act of Parliament remained untouched by their Resolution. They were bound by that Act to restore the slave. The hon. and learned Member for Oxford (Sir William Harcourt) shook his head; but the words of the Act said that the Courts should have jurisdiction to try, condemn, and restore any vessel, "slave," goods, or effects alleged to be seized, detained, or forfeited in accordance with its provisions, and, besides restoring them, likewise to give damages. Well, when they had adopted the Resolution now before them, what would they have done to touch such an Act as they themselves had passed? Those who now called on them to restore no one on the ground of slavery had so far recognized slavery that they had in the first instance made it legal in certain places for British subjects to sell and transfer slaves, and then they called on their officers, though they had admitted to the protection of the British flag slaves who might be as eager for freedom as any fugitive, to restore them to their masters. He heard an hon. Gentleman say, "May give up," but there was no "may" in the matter. The jurisdiction of the Court, according to their own Act, would compel them to restore the slave to his master. The Government stood there to maintain the law which hon. Gentlemen opposite had made. Those on his side admitted that they should have looked more closely to that Act when it was being passed. Unfortunately they did not do so, any more than they did into the Acts relating to political refugees; but the fault was not theirs alone. Those very Acts were helped to be passed by those who were now banded together to insist that no person should be surrendered on the ground of slavery, although the very opposite to that was laid down in their own Act. There might be cases in which the high seas were so near the territorial waters of slave-holding States as to bring us in contact with slavery in their territories; and, it becoming important that we should not come into collision with those nations, instructions were issued enjoining the observance of special care in regard to taking those people on board of our ships. Now, the Government had been told to deal with that matter openly. Well, that was what they had been doing. If, instead of keeping back from the knowledge of the English people what was going on; if, instead of those secret instructions which had been given in past years, open instructions had been issued; if hon. Gentlemen opposite had then avowed the sentiments which they avowed to-day, and when the Act of 1873 was passing had declared that they were to take a new point of departure and to make fresh progress in the direction of freedom, there might have been much to be said in favour of that course. But they had not done that, and even now some of them asked why the Government had revealed to the country what things were happening and why they were told of such a dreadful case as that of a slave having to be restored, though he got on board one of our ships, under an order from this country, not merely that they might remove him, but deliver him, to use the words of one of those Circulars—"into the hands of his lawful owner." Then the hon. and learned Gentleman opposite said they should revert to what existed before the present Circular. To what were they to revert? Why, to those hidden proceedings which they wished they had known before in order that they might have condemned them earlier. And they declared that the country was awake to a sense of the enormity committed by the Government in putting forward a Circular that was infinitely more favourable to the slave than those former secret instructions. Again, it was said, who asked for these Circulars. He would tell them. In the first place, they were asked for by a naval officer in command of a district where it was of the utmost importance that definite rules should be in force. The rules were not framed only because they were brought into contact with the slave trade, but also because they were brought into contact with domestic slavery, which they had engaged by Treaty to respect. Moreover, those rules were made in conformity with those Treaties which enabled them to hunt down the slave trade in certain territorial waters; and without those Treaties they would have no right or authority to enter those territorial waters and suppress the slave trade. The hon. Member for Poole (Mr. Evelyn Ashley) told them that Lord Clarendon had laid down the right principle in 1856 in regard to Brazil; but it should be remembered that the Brazilian Government proved faithless to its Treaties with us, and we went into their waters in spite of them, because they had not kept their engagements. In consequence of that, Lord Clarendon laid down a broader rule in their case than was afterwards adopted in others. In State Paper No. 18, among the documents now on the Table, the House would find it stated that the attention of the Lords of the Admiralty had been called to the serious irregularities and mistakes committed by our naval commanders, employed in the suppression of the slave trade, on the East Coast of Africa. Their Lordships, therefore, issued certain orders in which they told those officers that the slave trade must be carefully distinguished from slavery, with which latter institution in foreign States or in foreign ships not in British territorial waters we did not claim, either by Treaty or otherwise, to interfere. Thus, the Admiralty had thought it necessary to interfere in 1869, although they had issued instructions only in 1865. Coming to the Slave Trade papers presented to this House, he found that complications having arisen in the Persian Gulf, the Indian Government—that was to say, the Viceroy in Council—which included some very distinguished men, and at least one eminent lawyer, issued provisional orders to the effect that in foreign territorial waters slaves were to be given up to their lawful owners or to the proper authorities on demand. Those orders were far more strict than anything which had gone before, and ten times more so than those of the second Circular. In the face of all those things, they said—"Take all these things away—abolish all these regulations and leave men to their own discretion." Well, the discretion of Captain Sulivan led to a threat of a court martial; and, in fact, to a court of inquiry and censure, and unlimited discretion in such cases seemed to go along with unlimited liability. When he first considered this Circular he naturally looked about for instruction on the subject which might afford him some light on the matter. Knowing comparatively little of International Law, he naturally turned to where he could get it in its briefest shape, and he found it in *The Times* newspaper in a letter signed by "Historicus," a gentleman who was well known to be a lawyer of such eminence that it was not unlikely in the course of events that he should some day be one of the chief Law Officers of the Crown. In the second Circular it was stated that the Government were desirous by every means in their power to meet or mitigate the evils of slavery. They were told they had just done the reverse; but their object was certainly to maintain the right of personal liberty, and if the proposed Commission showed how personal liberty could be extended with honour to this country they would certainly be carrying out the intentions of the Government. Well, what did that excellent letter say?—

> "Are public ships to go about to foreign ports and then, having accepted their hospitality, to render themselves public nuisances? Certainly not. A captain should not make his ship a receiving-house for fugitive slaves any more than for runaway criminals, smugglers, or"—would the House believe it—"stolen goods."

He (Mr. Hardy) was perfectly horrified at the comparison; but it only showed how strongly the writer himself felt on the subject. Then he went on to say—

> "Instead of ordering the slaves to be surrendered after they had been received, the direction should have been not to receive them, because they could not be surrendered."

That was what "Historicus," with his profound legal knowledge, had to tell them. Officers were not to receive slaves at all, or they would get into difficulties—in fact, they were to regard them with as much abhorrence as they would stolen property. The letter continued—

> "The captain has the entire right to determine whom he will receive or exclude or remove."

What was this question of removing? The hon. Member for Bedford said—"You admit a man in danger, and when the danger is past you are not to let him continue on board. You treat him as a slave, and turn him out on the ground of slavery." To that he would answer, that they did neither the one thing nor the other. They said, If the man appeared to be a fugitive slave—the Circular only referred to slaves, but it might in the same way have referred to criminals or even to stolen goods—he was not to be taken on board if it could be helped, unless he was manifestly in danger of his life. Then as to the danger being past and the permission to continue, they had the captain's discretion. But, it was said, the moment they came to the question of the captain's discretion, "Oh, you bind him hard and fast with regulations and compel him to give the man up." What they did was to receive a man who was in imminent danger of life, whatever he might be, but they declared the ship was not sent to the place for the purpose of taking people on board who were flying from the territory of a country with which they were at peace. He should like to know what a ship, it might be with a special and urgent mission to perform, would do with a number of escaped slaves on board. Were they to bring them to England? Were they to treat them differently from all other human beings? Or, were they to take them and drop them down in some desolate place, as in South Africa, where they would be in greater misery? It was a disgrace to the country to pretend to rescue men from slavery and then place them in a position of greater helplessness and misery. The instruction not to admit any man on board whose reception there was reason to think would give offence to the authorities of the place where he resided was sound law, and it was according to the comity of nations as generally understood. But they were told they ought not to give definite instructions; and it was said—"Were naval officers to go about the world in the responsible position of the representative of the Sovereign not knowing whether they possessed that immunity from foreign law which every English man-of-war had always enjoyed, and which every English captain had always believed till now he was entitled to claim?" There had been a great deal of enlightenment thrown on that point since this was written. Then it was said—"If there ever was a question on which an English Government was bound to know its mind and give the officers of the Queen definite instructions for their conduct, this is that subject." They were told to give definite instructions, and now that they had done that, they were told that they ought not to have issued any instructions. Again, it was said that, "on the whole, the writer saw no other road out of the embarrassment in which the Navy and nation are involved, except by putting out fresh instructions, which shall be set forth on principles exactly the opposite to those on which the Circular is founded." He had not attempted to defend the first Circular, and he was glad that there had been no attempt on the part of any speaker to throw discredit on any part of the House as not having the abolition of slavery at heart, and he could not understand that the status of a person was altered by being received for a short time on board a British ship; and in the case of the negress who came from Antigua and remained in this country, and when she went back claimed to be set free in consequence, Lord Stowell said she was in a parenthesis whilst she was in England. His earliest recollections were associated with the name of Mr. Wilberforce. He was an intimate friend of his (Mr. Hardy's) family, and much connected with them, and from his earliest childhood the great work in which Wilberforce was engaged was constantly impressed on his mind. No man in that House had a greater abhorrence of slavery or the necessary consequences resulting from it than he had. He did not believe that there could be absolute power on the part of one man, slavery on the part of another, without equal degradation to both, and that such a position of things was calculated to bring ruin on a country. He looked upon what this country had done in regard to the abolition of slavery as calculated to bring a blessing down upon it, and that it was more to its credit than any of the great victories which it had achieved in all parts of the world. He believed that great act of self-denial, by which England emancipated her slaves would never be forgotten, but would be written in records more imperishable than any part of her history. Although he quite admitted that the putting an end to slavery would be the best thing to do if that could be effected, yet when they saw that that could not be done without a resort to violence, which would be unacceptable to the world at large, they were bound to use such means as they could in order that they might induce others to assist them in attaining the object which they had in view. Such was the course of Lord Palmerston—no friend to slavery—but agreeing to suffer it that he might more effectually cut off the sources that supplied it. He believed the victory it had gained over itself, and the enormous sum it had paid to secure the emancipation of the slave, stood forth as an act of justice never to be forgotten in the history of this country, but would be recorded in its honour when some of it greatest deeds of arms would be forgotten. But when that great sum was paid it was paid on the principle of doing justice, on the principle that when you had acknowledged the right you ought not to interfere with that right without giving compensation for its destruction. That being so in the case of our attempt to put down the slave trade, having acknowledged domestic slavery as an institution in those countries with which we have Treaty obligations, we were bound by the contract into which we had entered. Those Treaties were entered into because that by conciliatory proceedings we were enabled to obtain access into the territorial waters of those States, by which we were enabled to cut off the springs of the slave traffic, thereby doing our best to dry up slavery itself. They were bound by every means in their power to put down slavery; but when they could not do that without violence and outrage upon the rights of other nations they were bound to use every possible means to induce other people to assist them. He therefore still thought they would find the Treaties into which they had entered would be of the greatest possible advantage to this country in that respect, They had the evidence of Captain

Colomb before the East African Slave Committee, that they afforded us the best possible access to those places where slavery prevailed. They must bear in mind that England was bound by the comity of nations, that although they might possibly in their strength trample upon weak Powers, there were others looking on who might perhaps, when our time of weakness arrived, apply the very same principles to us. If our ships of war went into foreign ports and became receptacles for criminals and other offenders against the law of those countries, ships of war might also come into our ports and carry away deserters from our Army and Navy, and other offenders against the law; and he knew but little of the spirit of the English people if such things were to happen if they would not assert what they deemed to be their rights. Let the House bear in mind how short a time had elapsed since England herself was a slave-holding country, and since that great country at the other side of the Atlantic was crowded with slaves. Let us remember what we had then submitted to, and how we were obliged to keep our ships of war out of the ports of the United States for fear slaves should get on board them and that we should in consequence be brought into difficulties and complications with that great Power. Let us recollect when negroes, themselves British subjects, were taken out of our ships which had gone into the port of Charleston—British ships with British men on board them—and put in prison during their stay there, while England stood by and offered no resistance. We had to submit to that which was the *lex loci*, and were we now, he would ask, prepared with a high hand to break through Treaties and international engagements? If England was great in her mercy, should she not also be great in her honour and her truthfulness? He was sorry to have detained the House so long? There were many things more which he would wish to have said on the subject; but he was desirous not to trespass unduly upon their attention. He might, however, be permitted to observe with respect to the Commission, which, it was said, was merely an excuse for evasion and delay, that we had had more than one Committee and Commission on the subjects before. Let any one look upon the records year after year relating to the slave trade, and he would find that measures had repeatedly been taken to bring our proceedings in regard to it more into conformity with the Law of Nations. Had there not been, he would ask, a Commission which had the valuable assistance of the hon. and learned Member for Oxford on the Neutrality Laws? Could not the Foreign Office have found out all about those laws without a Commission? Of, course, they could; but the subject was looked upon as a solemn and a sacred one, and a Commission had been appointed in order that a just conclusion with regard to it might be arrived at. Again, in the case of the Naturalization Law the same course was adopted, and those Commissions and Committees brought about valuable results which might be a blessing to future generations of this country, because they placed things on a sound basis, and did that which was best of all, informed the public mind. Ours was a noble, a humane, and a generous people, and they wished—as from his heart he wished—that slavery could be abolished by a stroke of the pen, or a blow of the hand; but it was well that they should know how many difficulties lay in the way of the accomplishment of that desirable object. It was, then, by means of the evidence taken before Committees and Commissions that they were to be put in possession of the real facts of the case; and when those facts were brought to their knowledge, so far from being led away by the mere impulse of feeling, he believed they would ask themselves whether it was not better to wait than to break through honourable compacts and Treaties, and to pause before making any rash attempt to interfere with laws which affected not only this country, but all the nations of the world. We could not by ourselves deal with International Law. That being so, he felt assured that the English people would be willing to submit to a little delay, in order that they might proceed on sound principles. There was a great man, Lord Stowell, who said—

> "To press forward to a great principle by breaking through every other principle that stands in the way of its establishment, to force the way to the liberation of Africa by trampling on the independence of other States in Europe—in short, to procure an eminent moral good by means that are unlawful, is as little consonant to private morality as to public justice. Obtain

> the concurrence of other nations if you can, by application, by remonstrance, by example, by every peaceable instrument which man can employ to attract the consent of man. But a nation is not justified in assuming rights that do not belong to her merely because she means to employ them to a laudable purpose, nor in setting out on a moral crusade of converting other nations by acts of unlawful force."

These appeared to him to be wise words, and they embodied the principles on which Her Majesty's Government were acting. The object of the Government was to increase personal liberty throughout the world, and they were not afraid to be called to account for this Circular, which the hon. and learned Member for Taunton (Sir Henry James) had admitted to be within the law, because they had issued it publicly and on their own responsibility, with a view to increase the liberty of nations; and he appealed to the country to say whether the Government had not faithfully discharged the duty of an English Ministry and of Englishmen.

MR. HERSCHELL moved the adjournment of the debate.

Motion *agreed to*.

Debate *adjourned* till *Thursday*.

House adjourned at a quarter after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 23rd *February*, 1876.

MINUTES.]—SUPPLY—*considered in Committee* — CIVIL SERVICE ESTIMATES — *Resolutions* [February 18] *reported.*

PUBLIC BILLS—*Ordered—First Reading*—Drugging of Animals* [85]; Open Spaces (Metropolitan District* [86].

Second Reading—Electoral County Boards (Ireland) [8], *put off;* Grand Jury Presentments, &c. (Ireland) [22], *put off;* Wild Fowl Preservation [42], *debate adjourned;* Industrial and Provident Societies* [68].

ELECTORAL COUNTY BOARDS (IRELAND) BILL—[BILL 8.]

(*Captain Nolan, Mr. O'Clery, Mr. Fay.*)

SECOND READING.

Order for Second Reading read.

CAPTAIN NOLAN, in moving that the Bill be now read the second time, said, that it was introduced for the purpose of dealing with a subject which had of late attracted a great deal of attention in England, but which in Ireland was felt to be a crying grievance—he meant the system of county administration. In both countries the principle of the law was the same, and rested on a feudal basis. But there was this great difference in its application to the two countries—that in England the management of county affairs was in the hands of a large number of persons, the county magistrates as well as landlords; while in Ireland it was concentrated in the hands of the few magnates of the land. Again, the evil was much more marked in the latter than in the former country, inasmuch as in England the chief interest was fixed upon the great towns, while in Ireland the agricultural population possessed more relative importance, and consequently attention was chiefly directed to agricultural and rural interests. The grievance was, therefore, felt much more strongly in Ireland than in England. The present measure was brought in to give greater power to the rural population to manage their own affairs. The Chief Secretary for Ireland said last Session that this measure would, if accepted, work a complete revolution in Irish county affairs, and he (Captain Nolan) would have no objection to that expression if it was understood in the sense that a farmer who saw a sheep on its back and put it upon its legs again worked a revolution; but if it removed an evil and brought about a good result, no one would be likely to complain of its revolutionary character. The Bill was not directed against any class—indeed, one of its effects would be to permit of a class—the peers—who had not hitherto had any share in the management of county affairs, exercising in future some influence in their administration. He had reason to believe that the county management in Ireland was different from that of any other country. He had tried to obtain Returns showing exactly in what proportion the rates levied on land in Ireland were paid, but these were refused by the Chief Secretary on the ground that they would give a great deal of trouble in preparation. He believed that the tenants paid the whole of the rates, with a few exceptions—small tenancies, and where the landlord happened to be the occupier himself. He had made inquiry into the law of other countries. In France he found that county administration was divided between two Councils — the Council of the Department and the Council of the Arrondissement—the members of both of which were elected by universal suffrage. In Belgium and Holland the management was in the hands partly of the village commune, elected by those paying taxes corresponding to what would be paid on a rating of £9 a-year in this country, and partly of Provincial Councils, who were elected by those who paid in a rateable value of £7 a-year. In Germany the system was different, the object there being to establish a sort of balance between the urban and rural populations; the administration was, therefore, in the hands of a Board, half of whom were elected by the towns, a quarter by the larger landed proprietors paying on a rateable value of £80 a-year, and a quarter by the smaller landed proprietors and the peasantry together. In Russia, in 1864, a new system was established, and the Councils had been made elective, and whereas before that time 98 per cent of the local rates was paid by the peasantry, and 2 per cent by the proprietors, now 51 per cent was paid by the latter and 49 per cent by the former. In Spain the local management of affairs did not work very well, but the Provincial Councils were elective. Going to Australia he found—at least in Victoria and New South Wales—that the votes were given according to the rateable value of the land held; every man had a vote who was assessed, two if assessed at £25 a-year, and so on in proportion up to £75, which gave four votes—the most that any man could have. In Tasmania the management was more in the hands of the rich men, a vote being given for each £50 up to £500. In America (Massachusetts) there was a system of election of county commissioners for three years, and every one who paid county rates voted. Now in Ireland, where they were supposed to have more liberal institutions than abroad, they did not in their county management of affairs carry out the principles existing in foreign countries, for not a single member either of the Grand Central Board or of the minor Boards was elected. The Sheriff summoned almost at his pleasure all residents in the county he deemed fitted to administer county matters—he took 23 in all. He would not say that the Sheriffs of Ireland were a bad class, or that they wanted to work bad institutions in a bad way; but he would say that the system was open to the greatest abuses. If there were an elective principle in their institutions, the Sheriffs would not be placed in such difficult positions as sometimes now happened, for he did not think that any man could escape from imputations being cast upon him. Every farmer was, as a rule, excluded from the Grand Jury, although practically his class paid the local taxation. He had heard three arguments advanced for the retention of the present state of things. It was said that all rates fell ultimately on the landlords; but there were many cases where that could not be true, as, for instance, where new rates were put on after agreement with the landlord as to the amount of rent: there it was clear that the tenant paid them. Another of the arguments in support of the present system was that the baronial sessions were a counterbalance to the Grand Juries; but they were not a counterbalance. The members of the baronial courts were not elected by the baronies. Also the baronial sessions had comparatively little power, and for that reason frequently members of the baronial courts did not attend the baronial sessions. It might be said that there must be some reason why the Grand Jury system had continued to exist so long. Well, no doubt it was the love of power which induced the grand jurors to adhere to that system. It was originated in dark times, and ought to give place to such a system as that which prevailed all through Europe with reference to the management of local affairs. He thought very probably that many of those who formed the present Grand Juries would be sent to the Elective Boards. It might be said, then, what would be the use of making a change? The answer was, they would be in a different position. The object of the present Grand Juries was to leave matters as they were; that arose out of their love of power and patronage; but it would be for the House of Commons to consider whether they would allow that to prevail over that natural right of the people to have a fair representation in the management of their affairs. His Bill contained three principles—1st, that all members of the Board should be elected; 2nd, that no one elector should have more votes than the others—that was, he considered, a point of the greatest importance—and 3rd, that the qualification of each elector should be the same as that for electing a Member of Parliament. This stood at present at £12. No doubt that amount was rather high for Ireland, but he would be willing to modify or to give it up for a lower qualification. He had adopted it on the ground of expediency and economy, as the machinery for working the elections would be the same as for the Parliamentary representation; which on the whole had worked well. He trusted the House would accept this Bill, which was one of three now on the Paper having for their objects the improvement of the internal administration of Ireland. He would now move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Captain Nolan.*)

MR. KAVANAGH, in moving an Amendment that the Bill be read a second time that day six months, said, it was admitted that on the whole the present system of county management in Ireland worked well, and he opposed this Bill because it had for its object the abolition of that system. He would first call attention to the Preamble of the Bill, which stated in effect—

> "That it was expedient that the control of the money raised for local purposes in Ireland should be under the supervision and direction of those who paid the rates."

That implied that the ratepayers had not now that control. But he (Mr. Kavanagh), while he admitted that theoretically they had not, contended that practically they had. The hon. and gallant Member for Galway (Captain Nolan) had painted the picture of the Grand Jury system as he saw it, and he hoped the House would not object to his (Mr. Kavanagh's) painting it as he saw it. He submitted that, though the county cess was in the great majority of cases paid directly by the occupier, yet that it eventually came out of the landlords' pockets, because the rents they received were reduced in proportion to the rates paid by the tenants. No doubt bargains between landlords and tenants were made on averages; but if there were special presentments for malicious damage the tenants had to pay the extra rates. In fact, the expenditure of the county cess was controlled by the associated ratepayers and not by the Grand Jury of the county. He admitted that there were anomalies in the present system, and he was not there to defend those anomalies. They existed not in the manner in which the co-funds were expended, but in the way which, under the present system, the associated cesspayers and the Grand Jury were appointed. The power to appoint was vested in the High Sheriff. He had to call the Grand Jury together; and if he had been rightly informed there was no qualification required for a grand juror. That power in the High Sheriff was an anomaly. But it should be borne in mind that with the Grand Jury rested no power whatsoever of initiating expenditure. On the other hand, though the High Sheriffs had unlimited power, the force of public opinion was sufficient to check them, and to compel them to nominate as Grand Jurors only those who were possessed of property in the county, or agents to represent those proprietors who were unable to attend, or were disqualified from doing so. He was in a position to prove that the practice of packing Grand Juries, as some had believed, had never taken place in Ireland. He had never heard of a single case being substantiated by facts. He had now to deal with the case of the appointment of the associated cesspayers, with whom rested the whole power of initiating expenditure. At first sight it might appear that this appointment lay entirely in the hands of the Grand Jury, but when the real facts were examined, it would be seen that they had no discretion in the matter; they were bound to return the names of the highest cesspayers in each barony, excluding only those who had served the preceding year, and out of the names so returned by them the proper number of associated cesspayers to sit at baronial sessions were afterwards selected by lot, so that virtually in the hands of the Grand Jury there was no power which could be used for jobbing purposes; and this being the case, he maintained that all the arguments used by those who advocated the abolition of the system had broken down. He would next remind the House that a Select Committee of the House, appointed in 1868, reported in favour of the present system, with some slight modifications, and he would say now that he should be glad to give every assistance in his power to modify the system in some respects; but he would not abolish or destroy it. He believed that if the House would adopt the provisions of his own Bill—the third on this subject which stood on the Paper for second reading—the Grand Jury Laws (Ireland) Bill—the time-honoured institution of the Grand Jury system would be preserved, whilst every anomaly would be corrected and every blot would be removed from that system. The hon. Member concluded by moving the Amendment.

Mr. CONOLLY seconded the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Kavanagh.*)

Mr. O'CLERY: I have listened with attention, Sir, to the speech just delivered in reply to the able and exhaustive statement of my hon. and gallant Friend the Member for Galway, with whom I have the honour to be associated in introducing this Bill to the notice of the House, and I fail to perceive that the speech in question affords any just grounds for the rejection of this measure. The arguments employed against the Bill are merely the repetition of the objections made to similar measures for years past; and the hon. Gentleman's defence of the present anomalous and unjust system apparently consists in the assumption that the Irish people should be quite content to have an irresponsible body, mainly composed of gentlemen sharing the political convictions of the hon. Member for Carlow, to administer the fiscal affairs of each county. There is no real attempt made to grapple with the provisions of this Bill; there is no evidence given beyond mere assertion that it is not needed, and there is no reference whatever to the fact that the overwhelming majority of the ratepayers of Ireland anxiously desire a change in the present system. It must be remembered that this is not what is generally termed a "sentimental grievance." It actually involves the expenditure of £1,300,000, levied each year from the Irish people, to the utter extinction of all control or authority over such expenditure on their part; and it must be remembered that it is no novel grievance either—one suddenly discovered by the Members of the Home Rule Party—for it has been the subject of agitation both in and out of Parliament for upwards of 40 years. And so strongly has it been urged upon Parliament that it has repeatedly led to the appointment of Select Committees of this House to inquire into, and report upon, the whole case. So far back as 1842 a Royal Commission was appointed, and after due and laborious investigation it reported strongly in favour of changing the system. Yet no change was made. The agitation still continued until Sir George Grey introduced a Bill in 1849 attempting to deal with the subject; but this, too, failed, upon a promise from the then Chief Secretary for Ireland that something should be done to remedy the grievance in the following year. The Session of 1850 passed away and nothing was done. At length, after the repeated failures of attempts by Sir Denham Norreys to deal with the question in 1855, 1856, and 1857, my hon. and learned Friend the Member for Limerick, then Member for Youghal, introduced a comprehensive measure in 1861, and boldly challenged the Government of the day to carry out the recommendations of the Royal Commission. He was defeated on a division, after a most important discussion, in which many leading Members of this House took part. At last the growing dissatisfaction compelled the appointment, in 1868, of another Select Committee. This reported for the mere retention of the system, but strongly urged the necessity of important changes to meet the well-grounded objections that had been made against it; and here I may remark that the hon. Member for Carlow stated that the Committee comprised eight Conservatives and nine Liberals who were supposed to be against the Grand Jury system. But I would remind him that Lord Carlingford, who occupied a seat on the Committee as a Liberal, was strongly in its favour, and that the only real opposition was given by the late Mr. Maguire, Member for Cork, and Mr. Blake, the late Member for Waterford, who repeatedly divided the Committee, and succeeded in obliging it to bring in a Report which was virtually a condemnation of the system. But this condemnation was unheeded, and the grievance still exists. Surely this is a state of things that under no circumstances would be tolerated in England. It is well-known that without the fullest sanction of the ratepayers the smallest amount of public money could not be applied in England; in Ireland, on the other hand, we are still trying, after 40 years of agitation, to induce the Government to allow us some control over the disbursement of more than £1,250,000 annually of our own money. As regards the working of the system, so manifestly designed to exclude all popular control, the case stands thus—The Lord Lieutenant nominally, but in reality his advisers in Dublin Castle, appoints the sheriff for each county. The sheriff appoints 23 gentlemen at his own option, and without reference to any fixed rule, and this body constitutes the Grand Jury for the county, over the rates of which it has absolute control. In the presentment sessions, of which we hear so much, a Grand Juror has practically the right to nominate, and actually does nominate the cesspayers entitled to attend for each particular barony; and it has been stated in this House that the opinions of the cesspayers so chosen on any project about to be submitted to such presentment sessions are well-known beforehand. Thus the system is purely one of selection, and in no case one of election. The Bill now under discussion, which has been prepared with the utmost care, provides machinery to supplant easily the present Grand Juries by County Boards of a strictly representative character, and which would enjoy public confidence. The Bill proposes to give each ratepayer at present holding the Parliamentary franchise a vote in the election of the members of the Boards. It should not be considered strange that men who are deemed eligible to elect Representatives having the power to tax the nation at large should also have a voice in the election of those who manage the local affairs of a county. And that they should be elected by Ballot ought to cause no surprise, seeing that the Ballot is now the law of the land. On the ground of economy this measure would be most advantageous, for it would tend directly to the consolidation of many institutions in the country, and the consequent reduction of the whole staffs of officials now maintained at a great expense. The Irish ratepayers know full well that there is no actual requirement for the prisons, bridewells, and asylums already existing in Ireland. On the whole question, however, I would ask the House to frankly meet the exigency of the case. It has not been submitted to Parliament for the first time, and it has ever been moderately, fairly, and temperately pressed upon your notice. Do not then reject the measure, and so leave the Irish people no alternative but to think that on every case their wishes are to be utterly disregarded. The measure, if passed, will serve to remove a long-standing grievance, and to create a sound public opinion in the country by training the people in the management of local affairs, and, above all, it will materially contribute to prepare them for the great future which I am firmly convinced is in store for Ireland.

MR. CONOLLY said, he would congratulate the House on the calm and considerate manner in which the subject had been brought before them; but he must point out the remarkable dissimilarity between this Bill and that introduced by the hon. and learned Member for Limerick (Mr. Butt). As between the two, he preferred that of the hon. and learned Member, and he could not but be surprised that the Home Rule Party should not listen on this question to their accepted oracle and leader, who certainly understood the matter much better than the hon. and gallant Member for Galway (Captain Nolan). The hon. Member for Wexford (Mr. O'Clery) had addressed his remarks against the whole Grand Jury system of Ireland, and not against this Bill. He (Mr. Conolly) could not admit that the Grand Jury system was universally disapproved in Ireland. Some there were who were opposed to it, but these were not of a high or influential class; while he could assert of the Grand Jury that they were a high-minded and honourable body. He should be glad to assist the hon. Member for Carlow (Mr. Kavanagh) in his efforts to improve that ancient institution, which—though not blind to its defects—he believed was high appreciated by the Irish people. Political agitators might sometimes include the Grand Jury system in their denunciations to swell the bundle of Irish grievances; but the people did not really care about the matter, and why should they fish in the troubled waters of political excitement for some chance body without either prudence, sagacity, or knowledge of the business in hand, to supplant one that was well qualified and had been long accustomed to the discharge of its functions? The compact circle opposite desired to dethrone what they called an oligarchy; but if they wanted to destroy the existing body, why did they not boldly strike at the Sheriff, who was its head? They did not directly attack the Sheriff because he represented the Crown; but if they wished to sweep away everything hereditary that they could lay their hands on in favour of something of an elective character, what was that but Republicanism?

Mr. MITCHELL HENRY rose to Order. The hon. Gentleman had no right to charge any hon. Members of that House with advocating principles which were opposed to the Constitution. He had no right to charge any hon. Member of the House with advocating Republicanism, and which charge, so far as the Home Rule Party were concerned, was destitute of any foundation whatever.

Mr. CONOLLY said, he did not wish to impute to hon. Gentlemen what they repudiated—all that he wished to put forward was that the elective principle, as opposed to the hereditary principle, was capable of that construction. In his own county there were names on the Grand Jury list which had been inscribed on it for 200 years, and he should regret to see an ancient and cherished institution, instead of being improved where that was necessary, ruthlessly destroyed. He believed that the people of Ireland had confidence in the gentry, and he should be glad to help his hon. Friend the Member for Carlow (Mr. Kavanagh) in his efforts to reform and improve the existing system —a system the operation of which he believed was beneficial to the country.

Mr. BUTT certainly was not offended with the last speaker for charging him with Republicanism, because he was not prepared to cut off the head of the Sheriff. It was not necessary in that House to deny that to advocate the elective principle was to advocate Republicanism, for that was the very principle upon which that House was itself elected. The vital question now before the House was, would they trust the Irish people to elect those who were to manage their county affairs? The hon. Member for Donegal said the people would have confidence in the gentry—yes, they would if they had the advantage of the elective system. The Grand Jury system was, indeed, a time-honoured institution, but only as a part of the criminal jurisdiction of the country—its sole legitimate function. The practice of also intrusting it in Ireland with the fiscal business of the county was only about a century old, and had sprung up in the time of the Penal Laws. The idea of extending such a system to the financial administration of an English county would not be tolerated for one moment. The hon. Member for Carlow had taken a position between the Bill of the hon. and gallant Member for Galway and his (Mr. Butt's) own Bill. It was perfectly immaterial whether they took his hon. and gallant Friend's Bill or his own that day, because they were not now discussing details, but a question of principle—the question whether the anomalous system which now existed should be maintained, or whether the people of Ireland should be trusted with the management of their own affairs—and the two measures were so far alike that they were both based on the elective principle, his own proposal being to enable the magistrates to elect one-third of the Council. Among the associated cesspayers there were often persons wholly unsuited for the duty they had to perform—persons, for instance, who could neither read, nor write, nor speak English. In fact, anomalies of the present system were plain and had long been recognized, and the Irish people, he thought, had good reason to complain of their continuance. In 1842 an able Commission considered this subject, and made recommendations in favour of reforming the existing system of the election of cesspayers, but up to the present time these recommendations had not been carried into effect. He should prefer that cesspayers should be elected in the Boards. The proposal to extend the powers of the Poor Law Guardians was not one which was likely to give satisfaction. For his own part, he had a great objection to throwing on the Poor Law Guardians duties not connected with the poor; and, moreover, the Poor Law Guardians were elected by a system of cumulative votes, in which the people thought property had too much influence. With regard to the ultimate tribunal of the Grand Jury, nobody could pretend to justify the monstrosity of the fiscal business of the counties being managed by such a body. The supporters of the Bill had been referred to as if they were making some revolutionary proposal, but there were there as true Conservatives, upholding the Constitutional principle that there should be no taxation without representation. In 1874 no less than £1,300,000 were raised and disposed of in Ireland at the bidding of the Sheriffs, without a particle of representation, and without any popular control whatever. The system did not work well, it created dissatisfaction among the people of Ireland, and it was their object to put an end to such a monstrous state of things. True, there were no noisy demonstrations in their favour—the Irish people had, perhaps, seen the folly of them; but he made bold to say that there was scarcely a single question connected with Irish administration which touched more fully the thoughts and sentiments of the farming classes than the Grand Jury question. Under that system the whole tax was levied on the farmers and occupiers of land, whilst the whole administration was left in the hands of another class. The Irish gentry would have far more real influence amongst the people if they were obliged to mix amongst them and take their own place at an elective Board. Popular representation had worked successfully in other parts of the kingdom, and yet it was denied to Ireland. Money was paid by farmers and occupiers of the land and administered by an entirely different body. Was that teaching the people self-reliance, the necessity for which had been so much talked about? The case of the Quarter Sessions in England might be cited against him, but it furnished no answer at all to the complaints now made, for the principle of representation in England differed materially from that in Ireland. The one issue before the House was whether the monstrous anomaly of the Grand Jury system should be continued, or whether the people were to be trusted to have a voice in the management of their own affairs. If the Bill was rejected its rejection would produce a feeling which certainly would not tend to attach the people of Ireland to the House of Commons.

MR. MULHOLLAND said, he concurred with the supporters of the Bill in their demand for popular representation. It was a great pleasure to those Irish Members who sat on the Conservative benches to be able to co-operate with those who came from other parts of Ireland, in attempts to improve the administration of the law there. He was not to be frightened by a charge of Republicanism when the charge was founded merely on their desire to elect their representatives. It would not be tolerated for a moment in England that the Grand Jury should both levy taxation and administer it; and there could be no doubt that the effect on the people of having the control of public expenditure would be good. Hon. Members opposite, in dealing with the question, had to a great extent attacked imaginary adversaries, for he did not believe any one was prepared to defend the Grand Jury system in Ireland as it existed. It was admitted by those hon. Members who spoke on the last occasion when the Question was before the House, that there were some anomalies in the present system of the Grand Jury Laws, and a general wish was expressed that they should be remedied when the proper period should arrive. He must confess, however, that these grievances were rather theoretical than practical, for he believed that the opponents of the laws had never been able to show any substantial grievance in the present system. But, still, he agreed that it was time for some action to be taken on the question. It had long been before the public, and in 1868 a Committee had made recommendations on the subject which were certainly free from anything like class or party bias—they recommended the removal of a grievance which was felt to be gross and intolerable, yet Chief Secretary after Chief Secretary had been compelled to postpone from Session to Session the introduction of a remedy. The difference of opinion on this question arose from its being regarded from different points of view. On the one hand, the supporters of the Bill proposed to bring about the desired effect by sweeping away everything connected with the Grand Jury Laws. Gentlemen on his side of the House, on the contrary, in dealing with an institution venerable by its age and associations, and deeply-rooted in the country, thought it better to follow out the recommendations of the Committee of 1868, and improve rather than destroy. What the other side wanted would in his opinion be accomplished by the legislation which his side suggested and preferred. He agreed with the hon. and learned Member for Limerick, that the Board ought to be elected by the cesspayers, and the Bill which his party proposed to bring in, provided that it should be so elected in a mode suggested by several Members opposite when the subject was discussed a year ago, and this was that to avoid the inconvenience and disturbance of a second election, they should utilize the machinery which at present existed for the election of Poor Law Guardians. He thought they might fairly assume that those who would be elected would be of the class which now supplied the Poor Law Guardians, and they from the training they had received would be prepared for the fulfilment of their duties in case this Bill passed. As to the statement with regard to the fiscal duties of the Grand Jury, he understood that the fiscal duties were clearly defined by statute. Those powers were strictly limited to the approval or disapproval of presentments; they had no power of initiative. Assuming that the arguments which had been advanced were all that could be put forward in favour of this Bill, he did not think a case had been made out for the Bill. He believed the object aimed at could be achieved by a much less sweeping measure. There had been no complaint on the part of the people of Ireland as to the manner in which the business had been conducted by the Grand Jury. On the contrary, he believed greater confidence was reposed in the Grand Jury than probably would be reposed in any Board that could be newly constructed. The Grand Jury was not a secret Court; its discussions were held before a very large audience of the cesspayers of the county, and he believed there was much less chance of what he might call a job receiving the sanction of a Grand Jury than of a County Board. The Grand Jury was a Court of Final Appeal, which had the effect of preventing anything being done hastily. He was of opinion, however, that the Grand Jury should be composed of the owners of property, and that they should not be represented by their agents, in order that the body might command confidence from the social status of its members: but he did not think it would be wise to establish an absolute prohibition, because there must be cases where the owners of property could not serve personally on the Grand Jury. There were cases in Ireland where whole baronies were owned by one person, and the owner might be a minor. It was desirable to have on the Grand Jury some one who knew all the circumstances of the locality—some one of experience—and, of course, this could not be the case where the owner was a minor. A great proportion of his own county belonged to a minor, and therefore he thought it would be unwise to exclude the agents of the property from sitting on the Grand Jury. He hoped the House would hesitate before it applied the knife to the institution, and that it would be found the recommendations of the Committee of 1868 could be carried into effect without embodying them in a Bill of this kind.

The O'CONOR DON said, it was universally admitted that the present mode of conducting the fiscal business of the counties of Ireland was unsatisfactory, and he hoped the discussion would have the effect of still further pressing the subject on the attention of the Government, because it was hopeless, in his opinion, to think that any private Member could settle the question. Although the subject had been before them for a great length of time, nothing had yet been done, and he thought the reason nothing had been done was that hitherto they had been trying to do everything at once, and his hon. and gallant Friend the Member for Galway (Captain Nolan) had begun at the wrong end, and was attempting to make an organic charge so sweeping that the practical result would be that nothing would be done. He denied that the powers possessed by the Grand Jury were so great as was represented. Any English Member who knew nothing save what he had heard in the discussion would imagine that the Grand Jury had the exclusive power to regulate what the taxation should be; but they had no such powers. The Grand Jury had the same control over the expenditure that the House of Lords had over Money Bills—they could only pass or reject presentments which had been made to them by the presentment sessions—they could not pass a single county presentment with the exception of those matters covered by special powers, like those given under the Coercion Act: they had no power to originate expenditure, and they had no power to alter a presentment. The public appointments at the disposal of the Grand Jury were very few, and were not lucrative; but he should like a different system than the present with regard to appointments to prevail. He denied that the question they were now called upon to vote upon was the placing of county expenditure under the control of elective Boards. That was not what they had to give their votes upon; because the hon. and gallant Member for Galway did not in his Bill place the control of expenditure under an elective Board—it did not attempt to deal with the subject of presentment sessions at all. If they wished to do anything practical they must begin with the bodies that originated the expenditure. He did not know how the House of Commons could be asked off-hand to transfer the powers of a Grand Jury to a new body; and he believed, if he was right in his view of the law, that if this Bill was passed it would lead to unlimited confusion, because the powers of old Acts which had long passed away would be revived. Again, if the Bill passed, it would still leave the Grand Jury in possession of power for voting money to certain institutions. The great object they should aim at should be to convert the baronial sessions into a representative body. On the whole case, he thought they were weakening their chances by endeavouring at once to upset the system which now prevailed, and although the fiscal business was not so old as some thought, yet the system had been in existence for a long time, and it was so complicated in its character that if they wished to deal with it effectually the Government must give up half the Session to the consideration of the question.

Mr. MOORE said, the hon. and learned Member for Limerick (Mr. Butt) spoke of the Grand Jury as a monstrous anomaly and as a grand old institution. How the legal mind could reconcile these conflicting terms it was difficult to imagine. The hon. and gallant Member for Galway (Captain Nolan) proposed to substitute for the Grand Jury a body of men elected by people who were too readily subject to party and religious influences, but before that could be done it would be necessary to adopt a new system of electoral laws, which should exclude all such religious influences, and provide that the interference of any clergyman should void the election as much as bribery did under the present law. He concurred with the hon. Gentleman who had just sat down in most of the observations which had fallen from him, and although he did not seek to maintain that the composition of Grand Juries in Ireland was entirely faultless—indeed, there was no public institution of which that could be said—yet he did not see how the Government could take away from those bodies the powers with which they were at present invested in compliance with the wishes of a party who were pledged to promote new institutions, and who, instead of improving the fine old trunk, would rear up some little shrub of their own growth which would very soon be choked by the discord which would exist around it.

MR. M'CARTHY DOWNING said, he should vote for the second reading of the Bill, though he admitted that it required many Amendments. He supposed that it was undisputed that the present representatives on the Grand Jury did not really represent the body of the ratepayers; and he took it for granted that the Government were alive to the necessity of having in Ireland presentment sessions which really represented the ratepayers of the country. As to the Grand Juries, which he for one had never charged with corruption, because he believed they performed their duties with great credit to themselves, he would merely suggest, by way of compromise, that each presentment sessions should be allowed to select one from among their own body to sit upon the Grand Jury for the transaction of its fiscal business.

MR. MACARTNEY, while admitting that the present system of fiscal administration in counties in Ireland required reform, thought the question was one which could be dealt with satisfactorily only by the Government. All Irish Members who had spoken agreed that the cesspayers were not properly represented, and he thought the first step to be taken should be by the reform of the presentment sessions, leaving it to be ascertained by experience whether they would then work well with the present Grand Jury system. If that should turn out not to be the case, then the reforms might be continued, so as to give the cesspayers a real voice in the management of the fiscal business in counties. He saw no reason why Peers should be precluded from serving on Grand Juries.

Mr. WHALLEY said, he was in favour of giving the people of Ireland the same popular voice in the control of their local affairs which existed in England; but there was a foreign priesthood exercising influence in Ireland that could not be trusted, and it was to that circumstance that the complicated state of the Grand Jury laws was attributable. The hon. Gentleman was proceeding to dilate upon the paramount authority which, according to the Lord Chief Justice, was exercised by the priesthood, when—

Mr. SPEAKER called the hon. Member to Order, observing that his remarks were not relevant to the Question before the House.

Mr. WHALLEY proceeding in the same line of observation

Mr. STACPOOLE rose to Order. He did not think the remarks of the hon. Member had anything to do with this Bill.

Mr. WHALLEY said, he was aware that his remarks had nothing to do with the Bill under discussion, but they were quite pertinent to the motives by which his vote would be actuated. In his belief the paramount importance of this foreign authority underlaid the whole of the questions connected with Ireland, which threatened to give rise to interminable discussions during the present Session. In conclusion, he appealed to the Chief Secretary for Ireland to say how far, if at all, he recognized the existence and the influence to which he referred.

Sir MICHAEL HICKS - BEACH said, the question before the House was what kind of body for the purpose of local government and the management of local finance was best adapted for Ireland, and the institutions which other countries had adopted for this purpose had comparatively little bearing upon this question. In dealing with this subject we ought to attempt not only to secure that which in theory all would admit to be right—namely, that the cesspayers should be properly represented; but we ought also to bear in mind how far the present Governing Bodies had proved themselves economical, pure, and efficient in discharging their duties. He thought it could not be said that the County Grand Juries or even the presentment sessions in Ireland had been found wanting in these respects. In the evidence given before the Commissions and Committees which had investigated the subject there was the strongest testimony, even from adverse witnesses, as to the effective and economical working of the present system. We ought not, therefore, rashly and absolutely to sweep away a system which, however objectionable it might be in theory, had proved efficient in practice. The hon. and gallant Member for Galway (Captain Nolan) proposed to abolish Grand Juries as far as their financial powers were concerned, and to transfer those powers to County Boards, elected according to the plan described in his Bill. Some hon. Gentlemen seemed to entertain the idea that the Grand Juries had a real control over the whole of the £1,325,000 annually raised by county taxation. This, however, was not the case. The Committee of 1868 reported that practically the Grand Juries formed Courts of Appeal from decisions arrived at in the presentment sessions, and that they had comparatively little power in initiating local taxation, occupying much the same position towards the presentment sessions as the House of Lords did in relation to the House of Commons with regard to Money Bills. The fact was that the representative principle of Irish county government was to be found in the presentment sessions, and to alter the constitution of Grand Juries and make them a representative body while leaving the presentment sessions unreformed, would be much the same as if, in 1831, in order to secure a better representation of the people in Parliament, it had been proposed to make the House of Lords a representative body, leaving the House of Commons in its unreformed character. In the year 1875, out of £1,325,000 levied as Grand Jury cess, more than 50 per cent had, he believed been initiated at the presentment sessions, and had only been brought before the Grand Juries for confirmation and approval. Of this, £639,000 represented the expenditure on bridges and other works. Again, whatever was the constitution of the County Boards, a certain number of imperative presentments would have to be made by them. More than 14 per cent of the expenditure consisted of imperative presentments for the maintenance of lunatic asylums, for the valuation of the county, and the payment of the constabulary and the county officers appointed under statutes. If other items of the same kind were added, it would be found that, in 1874, nearly 25 per cent of the whole expenditure consisted of imperative presentments by the Grand Juries. Then there was an item of 8 per cent for prison expenditure. This was, to a certain extent, subject to the Board of Superintendence appointed by the Grand Juries, and it was still more subject to the law and the Government, so that the proposed County Boards would have no real control over that expenditure. Taking 50 per cent as the amount of taxation initiated by the presentment sessions, and the items he had mentioned as being imperative on the Grand Juries, it appeared that more than 87 per cent of the Grand Jury cess was beyond the control of the Grand Juries themselves. Consequently, it was a strong measure to propose to sweep away, for the sake of the remaining 13 per cent, a system which had taken deep root in Ireland, and which was very far from being as unpopular as the hon. and learned Member for Limerick had represented. Any real reform in the system ought to commence with the presentment sessions, which should be made, as they were intended to be by the law, really representative of the cesspayers. He adhered to the opinion which he had expressed with regard to that subject last year; and, in his judgment, the simplest mode of securing this real representation was that proposed to-day by the hon. Member for Carlow (Mr. Kavanagh). It was based on the Report of the Commission of 1842, of which the hon. and learned Member for Limerick had spoken in terms of deserved respect. It would prevent an unnecessary multiplication of elections, and unnecessary expenditure in making a new register of voters; and while it saved trouble and expense it would secure the services of men who had already proved themselves fit and proper representatives of the people. The body proposed by the hon. Member for Carlow would be almost identical in its constitution with the present Highway Boards in England and Wales. In this way we might secure a system of road management for Ireland properly representative of the cesspayers and as efficient as the existing system. We in England had, he was sorry to say, much to learn from Ireland in the matter of road management, for everyone must admit that whatever might be the anomalies of the present system in Ireland, the Irish roads were good, while the English roads were often bad, though managed at additional expense. The Bill of the hon. and gallant Member for Galway (Captain Nolan) proposed entirely to sweep away the existing financial powers of the Grand Juries. Now that was in direct opposition to the recommendations of the Commissioners of 1842 and 1868. In the hon. and gallant Member's Bill there was no provision for the representation of all the cesspayers. The hon. and gallant Member did not take into consideration cesspayers below £8, and even if the measure were amended so as to include them, a new register would have to be prepared at great trouble and expense. The proposal of the hon. and learned Member for Limerick was that each barony in every county should have four representatives, three to be elected by the cesspayers and one by the magistrates. There was also a provision that where there were more than 12 baronies in a county the Lord Lieutenant should have a vague power of reducing them to that number. In his opinion the hon. and learned Member's proposal would lead to such anomalies from the great difference in the size and rateable value of baronies in the same county, that it would be very far from being accepted as a reform by the people of Ireland. The proposal of the hon. and gallant Member for Galway was to amend the system of county government in Ireland at the wrong end. It had been universally admitted that that system required amendment, in order to secure a better representation of the occupiers, although it should not be forgotten that whatever might be said of the present mode of summoning the Grand Juries, the owners of property had not complained that they were unfairly represented by them. He should approve a scheme resembling that of the hon. Member for Carlow, although of course he did not pledge himself to all the details of his Bill. One point ought to be very carefully considered—namely, as to whether it was for the public interest that agents should be admitted as representing the owners of property. It was on the lines he had indicated that he should wish to see the question approached; and if he were asked why he had not fulfilled the promise he held out to the House at the commencement of the last Session, he might say that he had not anticipated those protracted debates on an Irish measure which had not yet faded from the recollection of hon. Members. He was not without hopes that if the necessity arose he should be able to deal with the question this year on the lines he had indicated; but in the meantime the Bill of the hon. Member for Carlow would have his hearty support, because without sweeping away a system which was old and, as he believed, popular, it dealt with those points which really required reform, and was the most certain way to provide for the cesspayers a fair and proper representation in the management of their local affairs.

Captain NOLAN said, he did not wish to take a division on his own Bill, because he thought it more desirable that it should be taken on the Bill of the hon. and learned Member for Limerick. For that purpose he would withdraw his Motion.

Mr. SPEAKER said, the Motion could not be withdrawn unless the Amendment was previously withdrawn.

Mr. KAVANAGH objected to the withdrawal of the Bill.

Mr. STACPOOLE wished all the Bills to be referred to a Select Committee.

Mr. FAY believed that an improvement in the present system of Grand Juries in Ireland was imperatively required, but he did not approve of the proposals of the present Bill. As the Grand Juries were at present constituted, persons professing the Roman Catholic faith were—in the North of Ireland, at all events—excluded from all offices of emolument in connection with the collection of rates, the financial machinery of the counties, and the management of the local gaols and lunatic asylums.

Mr. H. HERBERT denied that the corruption which had been represented existed under the present Grand Jury system. He admitted that some faults existed which ought to be corrected; but he could not support this Bill, because no proof of improper conduct on the part of the Board had been proved before the Committee that had inquired into the matter.

Mr. O'SULLIVAN maintained, in opposition to the statement of the Chief Secretary for Ireland, that the money of the cesspayers was not economically administered by Grand Juries. On the contrary, jobbery appeared to be the rule. He believed the Bill before the House would remove many evils of the system, and he gladly accorded the second reading his support.

Mr. BERESFORD declared that he had never known an instance in which a Grand Jury had been guilty of jobbery, and he spoke from great experience.

Mr. CALLAN spoke of the sectarian character of Grand Juries in the county of Armagh. There was only one Roman Catholic on it.

Mr. FRENCH thought the Bill of the hon. Member for Carlow might be made a good measure in Committee.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

GRAND JURY PRESENTMENTS, &c. (IRELAND) BILL—[Bill 22.]

(*Mr. Ronayne, Mr. Butt, Mr. O'Shaughnessy.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Butt.*)

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Kavanagh.*)

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 153; Noes 181: Majority 28.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

WILD FOWL PRESERVATION BILL.

(*Mr. Chaplin, Mr. Rodwell.*)

[BILL 42.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Chaplin.*)

Mr. BARCLAY rose to move that the Bill be read a second time that day six months.

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Resolutions [February 18] *reported.*

First Three Resolutions *agreed to.*

Fourth Resolution (Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department) *postponed.*

Next Four Resolutions *agreed to.*

Ninth and Tenth Resolutions (Salaries and Expenses of the Charity and Civil Service Commissions) *postponed.*

Subsequent Resolutions *agreed to.*

Postponed Resolutions to be considered upon *Friday.*

DRUGGING OF ANIMALS BILL.

On Motion of Sir John Astley, Bill to make the administration of Poisonous Drugs and Compounds to Horses and other Animals a punishable offence, *ordered* to be brought in by Sir John Astley, Mr. Chaplin, and Mr. Rodwell.

Bill *presented,* and read the first time. [Bill 85.]

OPEN SPACES (METROPOLITAN DISTRICT) BILL.

On Motion of Mr. Whalley, Bill for affording facilities for vesting in the Metropolitan Board of Works Open Spaces, Gardens, and Squares in the Metropolitan District for the exercise and recreation of the public, and to empower owners and joint owners to enter into arrangements with the Metropolitan Board of Works in relation thereto, *ordered* to be brought in by Mr. Whalley and Sir George Bowyer.

Bill *presented,* and read the first time. [Bill 86.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 24*th February,* 1876.

MINUTES.]—Public Bill—*First Reading*—University of Oxford (16).

NOXIOUS VAPOURS.—PETITION.

Lord WINMARLEIGH presented a Petition from a meeting of Lancashire and Cheshire Associations for controlling the escape of noxious vapours and fluids, and others, praying for amendment of the law respecting Noxious Vapours. The noble Lord said, that in 1863 an Act was passed dealing with noxious vapours evolved in certain manufacturing processes; it was limited in its operation, however, to those chemical works from which there was a large escape of muriatic gas. After that statute was passed the manufacture of chemicals had become a vast industry, and the number of alkali works in certain localities was largely increased. The consequence was that the Act of 1863 had proved insufficient to prevent the evils that it was intended to meet. In consequence, an Amendment Act was passed in 1874, by which the restrictions of the Act of 1863 were extended to other products. This Act, like the former, had, owing to the increase in the number of chemical works, proved insufficient to meet the evils which had since grown up. In the district with which he was himself connected alkali works had greatly increased in number of late years, there being 20 now for one that there was formerly; and an escape of 5 per cent being allowed by law, the whole escape was something very serious, and the consequences to property highly destructive. A meeting composed of persons deeply interested in the industry of Lancashire had consequently been held to consider the subject, and to deliberate on the best course to be adopted. Having represented Lancashire for many years in the other House, he knew what the difficulty was of legislating efficiently on the subject, and that difficulty was recognized at the meeting to which he referred. The Petitioners themselves were for the most part persons interested in the prosperity of manufactures, and consequently had no wish to interfere with these industries; but they felt that science could find a remedy for a state of things which was injuring health and destroying vegetation over large districts—there would therefore be no opposition to further legislation, provided it did not unduly restrict the operations of the different branches of manufacture and industry. At the present moment, however, such legislation had become an absolute necessity. No one could go through the country without being made uncomfortably aware of the presence of those noxious vapours. He had never seen worse destruction than they had caused on the estate of a friend of his in Cheshire. The trees upon it were like a forest of masts even in midsummer; and while formerly there were oaks upon it worth £100 a-piece, it would now be difficult to find one worth as many shillings; and from being in possession of one of the finest spots in the country, he was now seriously thinking of withdrawing from it altogether. The persons by whom the Petition was signed, which he now begged to present, certainly had ground for feeling aggrieved by the manner in which they had been treated. He wished to urge on the Government that they should either appoint a Royal Commission for taking the subject off their hands, or else take it into their own hands and allow science and legislation to apply the appropriate remedy.

THE DUKE OF NORTHUMBERLAND expressed his opinion that an exhaustive examination of the subject would be a national benefit, and gave Notice that he should move for the appointment of a Royal Commission for dealing with the subject.

THE DUKE OF RICHMOND AND GORDON said, that his noble Friend (Lord Winmarleigh) had understated rather than overstated the case. He knew the property to which his noble Friend had made particular reference, and could testify that it was in a deplorable state. He could assure their Lordships that the Government felt the importance of the subject. It was already under the notice of the President of the Local Government Board, and if a remedy for the evil could be found no one would be more willing to adopt it than the Government; but, having regard to the number of measures already in hand, he could not promise the production of any Bill to deal with it at a very early period.

Petition read, and *ordered* to lie on the Table.

UNIVERSITY OF OXFORD BILL.

BILL PRESENTED. FIRST READING.

THE MARQUESS OF SALISBURY rose, pursuant to Notice, to draw attention to the Report of the Commission upon the Revenues of the University of Oxford; and to present a Bill on that subject:—and said—My Lords, in fulfilment of a promise given in the Queen's Speech, I have to call attention to the subject of University Education. There are not now many in this House who can remember when the last University Bill was in the House of Lords—probably the noble Earl opposite (the Earl of Harrowby) was one of the few; but many of those who were in the House of Commons at the time that Bill was under discussion there, probably retain a lively recollection of the animated controversy which it excited in that House. It may be worth while, therefore, before entering on a consideration of another University Bill to remind your Lordships of the principles embodied in the Act of 1854. And what were they? The Act was introduced under no small amount of excitement, and with considerable expectation on the part of those by whom it was promoted and supported, and considerable apprehension on the part of those who did not approve of it. The second reading was passed without opposition in either House of Parliament, but the details were subjected to serious scrutiny and modification. Both Parties in the State may be regarded as responsible for the measure which was ultimately placed upon the Statute Book. The principal portion of the Act was directed to an entire reconstruction of the government and legislative machinery of the University. With respect to that portion of the Act, I have no proposition to make. On the point of re-arrangement the Act has been evidently a success. It has given a life and vigour to the University, and the changes have been effected with as much peace as was consistent with the excited feelings with which University questions are generally discussed. It is not my intention, therefore, to interfere with that part of the Act which refers to the constitution of the University. Another point which at the time was considered to be of great importance has been also subjected to the test of experience, and it is instructive to note the answer which in this case experience has given to speculation. One of the points on which the Government of the day dwelt most earnestly was that provision in the Act which gave leave to Masters of Arts to set up Halls in the

University. This was advocated on the ground that such Halls would afford a good means of providing for a poorer class of undergraduates advantages similar to those enjoyed by them at our own Universities in the Middle Ages, and similar to those which they now enjoy on the Continent. On the other hand, it was argued that the setting up of those Halls would be attended with results injurious to the discipline of the University. This provision was looked upon by the supporters of the Act as of great importance, and by the Opposition of that day with great dread. Well, the provision enabling Masters of Arts to set up those Halls was placed on the Statute Book, and what has been the result? The result is that one Master set up a Hall, and that there are four undergraduates in it. That is the end of all those hopes and all those fears. Some 12 years afterwards the University, taking the matter in its own hands and guided by that wisdom which practical experience alone can give, devised a plan of its own to admit the less wealthy classes to the training of the University. The University sought no Act of Parliament for this purpose. It required none. It devised what is known as the system of unattached students. The result which seven years' experience of this system enables the University to present is very curious—very remarkable. In 1868-9, when it commenced, the entries of undergraduates as unattached students were 53; and from that time they have gone on increasing year by year, so that in 1875 they were 185, which is, I think, a very respectable number. More than that—the Commissioners say that the character of those unattached students, both as to their attention to studies and moral conduct, is as high as could be found with students of the highest class. From that failure and that success I draw one moral—which is that things of this kind are better done by the Universities themselves than by Parliament. Here we are able to compare two experiments made in the same direction—the one by an Act of Parliament, which is barren; the other by the University, which has struck its roots into the soil and given in experience an abundant and a satisfactory result. I need not, however, say that even in such matters it may be well for Parliament to aid the University by the appropriation of larger funds for the object in view, if funds can be made available for the purpose; but the opinion I wish to express is that it is not necessary to interfere with a system which is thriving so well. A third point in the Act of 1854 was the application of the revenues of the colleges. In respect of that, undoubtedly, there has not been the same satisfaction as has been derived from the other points with which the Act dealt. There are constant complaints that the revenues of the University are not spent in as useful a manner as they might be, and that things remain undone which might be done if there were a more judicious outlay of some portion of those revenues. This it was which led to the appointment by the late Government of the Commission presided over by the Duke of Cleveland, and whose inquiry was to be as to the revenues of the colleges as they at present exist, and as they might be expected to exist at a definite time. That Commission reported towards the close of 1874. In one sense it was a most satisfactory Report. It showed that the idea—if the idea ever existed—that the colleges mismanaged their property was wholly without foundation. They say—

> "The cost of the management as presented in the synoptical table appears to us very low. On the whole external income it only averages £2 15*s.* 10*d.* per cent."

I think, my Lords, the owners of private estates would consider that a very satisfactory management of their own properties as regards the cost. Again the Commissioners remark—

> "The average lettings, the absence of arrears, and the apparently small amount of losses from tenants testify to the care and vigilance of the Bursars."

I think, therefore, my Lords, that there is nothing in the management of the property of the University to call for the censure or even for the interference of Parliament. But, on the other hand, the Commissioners go on to notice, as one remarkable thing arising out of their inquiry, a point to which it would have been impossible not to direct the attention of Parliament. One point brought prominently out in the result of the inquiry is the great disparity between the property and income of the several colleges and the number of the members. When that number is small the expense of the staff and establishment is large in proportion. And now let me explain why we undertook to legislate on the University at all. It is a work I undertook with great reluctance, and I do not think Her Majesty's Government would have entered upon it at all if they had not felt that there was an absolute necessity for their so doing. It is not desirable, if it can be avoided, that the interference of Parliament should be invoked, because such interference is calculated to disturb the studies of the University and to excite hopes that cannot be realized. But when we came to look at certain figures and the deductions that lay in those figures, we felt it would be idle to think that Parliament could abstain from interfering, or that we could conscientiously recommend Parliament to do so. I will venture to put before your Lordships what I know are hostile figures. I say that the view of those figures I am about to submit is the hostile view, because it is a superficial view; I know that they are capable of very much modification—but this superficial view of those figures will be the one that will be popularly taken, and makes the interference of Parliament inevitable. In the first place, it is calculated that within the next 15 years an addition of no less than £123,000 a-year will be made to the collegiate revenues. It may be said—"If this addition is only expected 15 years hence, why interfere thus early?" But your Lordships know that any changes made in the application of the revenues of the University will only take effect after a lapse of time, inasmuch as existing interests have to be respected; and if 15 years elapse before the income of the University is increased by the sum I have named, that will be about the time at which these changes now proposed will be fully carried out. Again, it is not only the prospective income of the college which is to be regarded—we have an actual income to examine. Taking together the whole corporate income and tuition fees, but deducting money borrowed and money received on behalf of the University, and other necessary deductions, it appears that the average income per undergraduate in all the colleges is £203. But when we come from the colleges as a whole to particular colleges we have very different results. The income per undergraduate in all the colleges is £203; but in Exeter it is only £97, in Trinity £96, and in Baliol £75. If University education were provided in all the colleges as cheaply as at Exeter, there would be at present a saving annually of £165,578; as cheaply as at Trinity, there would be a saving annually of £167,129; or as cheaply as at Baliol, a saving annually of £197,700. In any of these cases there would be a very large saving, and with such figures before us, on the surface of the Report, I hold that it would be impossible to avoid dealing with the question. I do not say that this is otherwise than a partial and hostile statement. I do not say that these figures are not capable of explanation, but under the circumstances as they appear legislation cannot be avoided. Of course, there are exceptional charges which have to be defrayed by some colleges, in connection with additional buildings or the management of estates, or with respect to museums or libraries. There may be other circumstances which will explain the difference between the colleges. I only quote the figures to show that in this case action on the part of Parliament would not be a gratuitous and wanton interference by the State. It may be urged that the colleges individually may come and ask to have the necessary legislative changes. But another and great complaint is that, while the colleges are rich, the University is poor, and you cannot expect that the result of an application by each college would be a scheme which would work economically for the whole. You might as well expect economy and good order to result from the proceedings of 20 different architects building a club-house, each of whom came forward with a plan of one room in the club-house to suit his own views. But where does the money go? The £200,000 is not thrown into the sea. With a great number of different bodies, some large and some small, of course the expense of the small bodies will be out of proportion to that of the large ones. The real gist of the whole question lies in the Fellowships and in the giving men £250 and £300 a-year without any duties attached to the Fellowships in right of which they receive that amount. I do not believe that any one starting fresh in the matter would ever think of establishing rewards of that kind. They are, no, doubt, given for success in certain examinations; but these are not of a remarkably high order, and several of a similar kind are held every year. A sum of £250 or £300 is attached to Fellowships to which no duties are attached, and the man who receives it may, if he chooses, remain in idleness for life. No one would now for the first time suggest such an arrangement. It is not only out of all proportion to the service for which it is a reward, but it is out of all keeping with the course adopted in respect of all other positions in life. If a man succeeds in the Army, you promote him, but give him a more responsible command; in the Church, if a man succeeds, you make him a Bishop, and give him ten times more labour. In the Civil Service, when you give a man increased pay, you call on him to fill an office of higher trust. Only in this case of Fellowships to which no duties are attached do you reward merit by absolute idleness. It is against the whole law of public life. In public life, if a man succeeds, you give him more important work, but not idleness. Throughout the whole of English life the principle of the reward of success is the giving an opportunity for harder work, but not idleness. In the Bill of 1854 the authors of that Bill saw the evil and endeavoured to provide against it. They suggested that there should be work attached to those Fellowships. But there was great opposition. In the end Commissioners were appointed; and the Commissioners, though they wished to make a fundamental alteration, did not care to make an effectual alteration. The plan of "idle Fellowships" was not in accordance with the designs of the Founders, who always attached residence and duties to the Fellowships. I should not have encouraged the Commissioners to interfere with old endowments, but if they did I should have wished them to carry out their own plans thoroughly in the interests of education. I am afraid they adopted a compromise maintaining the appearance of one system while adopting another. But they had to contend against great difficulties. At all events, it is a comfort to know that the University has become thoroughly alive to the evil of this state of things, and from it we shall meet with no opposition in applying such remedy as may be thought necessary. It seems that if all these "idle Fellowships" were to be done away with and no one were to hold a Fellowship without doing educational work, we should save—I will not say that I am speaking very accurately—a sum of £50,000 to £60,000 or £80,000. That, under an improved system, could be applied to University purposes. There are now from 220 to 230 of these Fellowships not filled by any person occupying an educational office. At £250 per Fellow that would give a disposable sum of £55,000 a-year. These are monies we have got in hand. First I will ask, what are the objects to which it is desirable those resources should be applied? My Lords, I should shrink from defining the objects by any answer of a theoretical nature, for a reason which I have already given—that these matters had better be left to the practice and experience of the University itself; but I should suggest that the recommendations of the Committee of the Hebdomadal Council afford a good indication of present requirements. That Committee speaks of a new library, new museums, and new schools, and that for them there would be an immediate demand for £110,000. They also say that additional rooms are required for the Professors and for public lectures, and for unattached students and local examinations. I think I may estimate that a capital sum amounting, on the whole, to £210,000 would be required for those objects. This would represent, according to the usual rate of interest on buildings, £12,000 a-year. Besides that, the Committee of the Hebdomadal Council press strongly the necessity of increased remuneration for those who are engaged in academical education—and no one can for a moment look at the facts without seeing that at Oxford is singularly below that afforded to persons engaged in professional occupations elsewhere. There are Professors at £800, £600, £300, £200, and even at £100. Compare those annual stipends with what is paid in other departments. If a man is a great clergymen, you make him a Bishop and give him £5,000. Your highest classes of Civil Servants have from £1,500 to £2,000, in the India Office the Indian Councillors have £1,200. I need not in this audience say what are the incomes given to successful politicians; but in whatever direction you make the comparison the sums paid to the Professors at Oxford seem miserably low as measured with those paid to men in other professions. And that is in these days, when the competition is not for men to get places, but for places to get men. I do not believe that less than £1,000 a-year, with a fair pension besides, will secure the highest talent for these Professorships. You must remember that the times have changed since all the teachers at Oxford were clergymen and had the endowments of the Church for a reward. The teachers are not clergymen now, and if we want to get the best men we must get them from other sources than that which formerly supplied them. I do not know that what is available from the whole of the "idle" Fellowships will be required for University purposes, and I do not venture to lay down the principle that no Fellowship should exist which would give the holder no educational work and which should last for a few years. It may be wise to maintain a few of them, limiting the holding of them to a certain number of years; but I do venture to lay down that all the University wants in the shape of museums, libraries, lecture-rooms, and the proper payment of teachers should be provided for before the subject of furnishing incomes to men who do nothing can be entertained. My Lords, these being the objects we have in view, it may be well to state what money we hold to be available. In the Report of the Commissioners a distinction is drawn between the general income of the colleges and the money held by them in trust—those which they hold for trusts not yet executed. We propose to interfere very little with trusts. The Commissioners are to make no statute affecting any University or college emolument unless the endowment has taken effect for more than 100 years; and where the trust has existed from before that period, they shall, unless it has ceased to be observed, or has been varied by Act of the Legislature pay regard to the main design of the Founder, while the details by which it is to be carried out may be properly modified to meet altered circumstances. But besides these two classes of trust funds, there would still remain a vast residue of revenue over which they would be able to exercise control and to apply for such purposes as they thought best. There is a large amount of property the trusts of which they cannot, so to speak, "ear-mark," or say that it had descended from the Founder for any particular college—all we can say is that from the first they have been regarded as designed for the general purposes of the University. Where the trusts have not been departed from, the Government propose to adhere to them; but with the other revenues, which had already been made subject to successive changes, the Government consider that it is open to them to deal with as Parliament should think fit. Your Lordships will recollect that the legislation of 1854 was commenced with a Bill containing minute provisions directing how various changes were to be made, what arrangements were to be made, what principles were to be adhered to, and what kind of machinery was to be employed; but as time went on it was found impossible to settle all these details by Act of Parliament, and a Commission was subsequently appointed. We propose now to begin at the point where the Act of 1854 ended. We propose to provide by means of the present Bill that each college in the University shall have an opportunity during some 18 or 20 months after the passing of the Act of drawing up and laying of statutes before the Commissioners to be appointed under the Bill, and on such statutes receiving the approval of the Commissioners they shall become law. After the end of the year 1877, as to such colleges as shall not have pursued the course provided by the Bill, the Commissioners will step into the places of the Universities and the Colleges respectively, and they will have power to promulgate statutes which will be laid before both Houses of Parliament, and if not objected to by either House will become law. Under the Act of 1854 the power given to the Commissioners was checked by a provision which enabled two-thirds of the voting power in any college to reject any proposal which they deemed prejudicial to their own particular college. Under the Bill to which I am now asking the attention of your Lordships, this will be altered by reason of the fact that we are proposing to apply the endowments for the benefit of the University generally. I may say that we propose so to provide for the appointment of the Commissioners as that the wishes of the University generally in reference to questions affecting its revenues shall not be disregarded. With respect to the indididual colleges, we propose that before the Commissioners proceed to deal with questions affecting particular colleges such colleges shall have the power to nominate three Members to sit with the Commissioners, in order that while the revenues of such colleges shall be applied to objects calculated to benefit the University as a whole, the interests of single colleges shall not be affected in a manner which could prove unduly injurious. Your Lordships will see that such a scheme as this depends very much upon the Commissioners to be appointed, and I will not, therefore, discuss it further until the names are before your Lordships. I should have preferred that the wisdom of Parliament could have laid down the lines upon which the Commissioners shall act; but as an attempt in that direction failed in 1854, when a strong Government was backed by a fierce enthusiasm for reform, I think it would be a conspicuous and an egregious error to attempt anything of the kind now. All I have to do now is to show what duties the Commissioners will have to perform. We propose that in dealing with the University the Commissioners may make provision from time to time for affording further or better instruction in art or science; for providing endowments for professorships or lectureships; for erecting and endowing professorships or lectureships on arts or sciences not already taught in the University; for providing new or improving existing buildings, libraries and museums, and collections and apparatus. The proposal with regard to the colleges is somewhat similar, and also provides that college revenues may be applied to the maintenance and benefit of persons of known ability and learning, who may be engaged in study or research in the realms of art and science in the University. The only point in this connection to which I wish to call attention is that referring to "research." We are of opinion that the mere duty of communicating knowledge to others does not fulfil all the functions of an University, and that the best Universities in former times have been those in which the instructors, in addition to imparting learning, were engaged in adding new stores to the already acquired accumulation of knowledge. There are new sciences which have gained and others which are pressing for admission to the Universities, and I think no one can doubt that it is for the interest alike of the students and of the nation at large that such sciences should have full encouragement. As instruments for the culture of the human mind the classics will always retain a superior place; but there are many minds on which the influence of the classics falls with little or no effect, and which are so constituted by nature that it is only from the harder and more exact branches they can obtain the development which is necessary for their perfecting. In their interest alone, therefore, it is desirable that the study of the exact sciences and of the sciences which rest upon the investigation of nature should be fully encouraged. I need not say how far such studies are for the benefit of the nation at large. Another consideration which weighs upon me in urging the claims of research to a full recognition is that in recent times it has suffered some detriment from the fact that it has been pursued by men who have not possessed arms sufficiently robust to enable them to fight their way. I have no doubt that when the pursuit of research is encouraged and made a part of the regular and recognized machinery of the University, this state of things will cease — we all know the difference between Office and Opposition. What I am particularly anxious for is that all branches of culture should have equal encouragement, and should be regarded, not as rivals, but as allies in the great and difficult task of cultivating and developing the human mind. There is little else with which I need trouble your Lordships. The Universities have, no doubt, a difficult task in the present age to perform, and they need all the assistance which you can give them. They have, at a time when every branch of human knowledge is progressing at railway speed, to maintain themselves, as it were, at the head of the advancing column, and not to loose their precedence and power. The Universities have hitherto united a singular reverence for what is past with a willingness to admit and recognize the value of those gifts of discovery which the future may have in store for them. They are in some respects analogous to that union of order and freedom which we politically look upon as the only security for the stability of any State. And we feel in the present chaos of opinion, at a time when beliefs of all kinds and on all subjects appear to be loosening their hold, it is of especial value to give every facility to, and to take every opportunity of maintaining in their fullest efficiency, institutions which combine those dispositions of mind on which alone any sound and progressive culture can rest. The noble Marquess concluded by presenting the Bill of which he moved the First Reading.

Bill for making further provision respecting the government of the University of Oxford, and of the Colleges therein. *Presented* by the Marquess of Salisbury.

Moved, "That the Bill be now read 1ª."

THE DUKE OF DEVONSHIRE observed that the noble Marquess had confined his speech exclusively to the University of Oxford, but his observations had, with some modifications, a general bearing also upon the University of Cambridge. He trusted to hear that it was the intention of the Government to propose legislation in respect of the latter University during the present year. The announcement in Her Majesty's gracious Speech that it was proposed to deal with the subject of the Universities had, he might venture to say, been received with great satisfaction at Cambridge. The colleges already possessed considerable powers, but there were such difficulties in making use of them that without the interference, or rather assistance, of Parliament, it was not probable that anything effectual would be done.

THE EARL OF MORLEY expressed a hope that ample time would be given to their Lordships and to the University to consider the provisions of this important measure. It was most desirable that noble Lords should have full time for communicating with those engaged in academical teaching.

THE ARCHBISHOP OF CANTERBURY agreed that it would be quite out of place to discuss at present a measure of which they were only partially in possession. He would observe, however, that the whole excellence of the proposed scheme must depend upon the selection of the Commissioners who were to carry it into effect. He had every confidence that the greatest care would be taken to select men who would command the confidence not only of the Universities, but of the whole country. A short time had passed since the last Commission reported; but of those who sat upon that Commission only two, he believed, were still living—Lord Harrowby and the Dean of Wells. The Universities owed a debt of gratitude to those Commissioners for the work which they performed under very great difficulties, and discouragement. He ventured also to say that the Universities and the country also owed something to the original Commission, of which he had the honour of being a Member, and which, under still greater disadvantages, first originated some of those changes which had borne good fruit in the Universities and produced great benefit to the country. He believed that whatever further benefits would arise from the present proposal would be greatly owing to the labours of those two Commissions. He fully concurred with the noble Marquess (the Marquess of Salisbury) that it would be altogether out of place to attempt to carry any reforms which were not approved by the Universities themselves. Those who had practical experience were of course those who would be likely successfully to carry forward reforms in these matters. But, looking to the past, he could not conceal from himself that it was desirable that a little external pressure should be brought to bear upon the Universities, and that it would not do to trust either the Universities or the colleges with the entire management of the reforms, for he believed they were not an exception to the rule which had been found to exist everywhere, that hardly any corporation was capable of entirely reforming itself without external pressure. He desired to call the attention of the noble Marquess to one other point. It was, he gathered, by no means the intention of the Government to absorb all the revenues of which he spoke in such a manner as that no "idle Fellowships," as the noble Marquess called them, should hereafter exist. Those "idle Fellowships" might, he thought, be a little misunderstood. No doubt, men who for years past had done nothing for the University and but little for the community should yet be in the enjoyment of Fellowships was a great evil; but he thought it would also be an evil if in all cases the gaining of a Fellowship were immediately to be followed by a giving up of himself on the part of the Fellow to the profession of teaching, or even to a residence in the University and the carrying on of research. He thought Fellows should be allowed to enjoy their Fellowships for a term of years. They all knew that there was scarcely any profession to which the new Fellow could devote himself in which, during the first few years, he would not have a struggle to maintain himself; and greatly would the value of the prizes of the University be diminished if the young men who obtained them did not feel that they were securing for themselves, at least, for a few years, the means of meeting the difficulties which awaited them, and ultimately of distinguishing themselves in those professions to which they purposed to devote their lives. In conclusion, he trusted that the measure would, as it deserved, receive the full attention of their Lordships and the country, and he could not but hope that the University to which he had the honour to belong would be greatly benefited by the proposals of Her Majesty's Government.

THE MARQUESS OF SALISBURY, in reply, said he was anxious not to be misunderstood by the most reverend Prelate. He hoped he should not be thought drawing a too minute distinction when he endeavoured to point out the difference between an "idle Fellow" and an "idle Fellowship." An idle Fellowship might be filled by a very busy man. He did not desire to cast any reflection upon those who held those Fellowships—all he desired was that in filling them for the future the educational wants of the University should be first considered before any other claim was entertained. The Government did not propose to do more than indicate the general tendency of their views to the Commissioners, as they should never approve tieing them down, say, to allowing of the existence of no Fellowships but such as were associated with University work. With respect to what had fallen from the noble Duke (the Duke of Devonshire) they were but following precedent by dealing with one University at a time. The Oxford Bill was introduced one year (1854), and that affecting Cambridge two years after. They did not, however, mean to follow precedent so far as that—all he meant to say was that it was less confusing to have one Bill at a time before Parliament. Should the present Bill, on examination, meet with the approval of Parliament, a Bill in respect of Cambridge University would then be introduced. The noble Earl who spoke next (the Earl of Morley) had asked that ample time should be given for the consideration of the Bill; but he was sure the noble Earl would not wish to see the measure run upon the sands of July. His view, to which he supposed no Peer would be inclined to offer any opposition, was that it would be better to fix the second reading for a tolerably early day, and so allow more time for the Committee—for he imagined the Committee would take more time than the second reading. He therefore proposed to take the second reading on that day fortnight.

Motion *agreed to*; Bill read 1ª accordingly; to be *printed*; and to be read 2ª on *Thursday* the 9th of March next (No. 16).

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 24th February, 1876.

MINUTES.]—NEW MEMBERS—Jacob Bright, esquire (*made Affirmation*), *for* Manchester; Frederick St. John Newdegate Barne, esquire (*sworn*), *for* Suffolk County (Eastern Division).

WAYS AND MEANS—*considered in Committee*—EXCHEQUER BONDS (£4,080,000).

SELECT COMMITTEE—Turnpike Acts Continuance, *appointed*.

PUBLIC BILLS — *Ordered* — *First Reading*—Colonial Marriages * [87].

Second Reading—Marriages (Saint James, Buxton) * [79]; Wild Fowl Preservation * [42], *debate further adjourned*.

Third Reading—United Parishes (Scotland) * [62], and *passed*.

METROPOLITAN BOARD OF WORKS BILL (*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir James Hogg.*)

SIR SYDNEY WATERLOW moved that the Bill be read a second time that day six months, on the ground that it contained a clause giving the Home

Secretary power to dispense with the obligation cast upon the Metropolitan Board of Works by the Metropolitan Streets Improvement Act, 1872, to set aside a portion of any lands in the metropolis purchased by them for the erection of dwellings for the labouring classes. He should, however, have no objection to the measure passing, provided the Metropolitan Board of Works would consent to substitute other lands for that purpose, if it were inconvenient to appropriate a portion of the lands immediately in question for the erection of such buildings.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Sidney Waterlow.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR JAMES HOGG undertook to insert a clause in Committee in accordance with the hon. Member's suggestion.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

METROPOLITAN RAILWAY BILL.

(*By Order.*)

SECOND READING.

Order for Second Reading read.

SIR EDWARD WATKIN, in moving that the Bill be now read a second time, complained of the unusual course taken by the noble Lord the Member for King's Lynn (Lord C. J. Hamilton), a Director of the Great Eastern Railway Company, in moving the rejection of this measure on its second reading. The noble Lord had given Notice to read one portion only of the Bill—which contained many other subjects—that day six months. That portion was an extension of the Metropolitan Railway, supported by the Board of Works, from High Street, Aldgate, to the crossing of the East London Railway on the Bow Road. Yet the whole Bill was to go because the Great Eastern objected to one small part of it. He declined to discuss the merits of the Bill, which the House remitted to Select Committees. But he claimed the right to be heard, as a constitutional right for the Petitioners for this Bill. There was nothing in the Bill contrary to precedent, and he hoped the House would not refuse to read it a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Edward Watkin.*)

LORD CLAUD JOHN HAMILTON said, this was an "omnibus" Bill, giving the Metropolitan Railway Company power to make extensions in different parts of the metropolis; but the part to which he wished to draw particular attention was what was called "the Whitechapel extension." On more than one occasion Committees had declined to sanction schemes by this Company for extensions to Whitechapel until they had fulfilled their obligation to complete the Inner Circle; and this proposal was even more objectionable than the plan rejected in 1874, because it related to an isolated single line having no connection with the Metropolitan or any other railway. It would, therefore, be of no advantage to the public. The Great Eastern Railway Company, of which he was a Director, had spent £4,000,000 in making their new Liverpool Street Station and bringing their line on a level with the Metropolitan, and yet if this Bill passed the passengers who came by the Great Eastern from all parts of the North would be unable to go East, and could only travel to the West of London. The object of the Bill was to relieve the Metropolitan Railway Company from obligations imposed on it by Parliament, and he therefore moved that it be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Lord Claud Hamilton.*)

MR. SAMUDA remarked that the Bill would not contribute to the completion of what was known as the Inner Circle. It was a line which had no beginning and no end, which came to a dead lock at the East End of London, and was in no sense an extension of an existing railway. Moreover, it was a single line. The real object of the promoters was to occupy the ground, and to prevent other persons coming to Parliament hereafter. He should, therefore, vote for the Amendment moved by the noble Lord.

MR. RITCHIE supported the Amendment because his constituents objected to the proposal which the Bill was intended to authorize. He protested against the opponents of any measure of this kind being dragged year after year, at considerable expense, before Parliamentary Committees until their resources were exhausted, and they were compelled to give up their contest with a wealthy Company.

MR. GORDON trusted the House would not throw out the Bill, because a portion of it would be very beneficial to Chelsea and Fulham.

COLONEL MAKINS said, that unless it were shown that this line was absolutely necessary for the good of the public, and that the Bill did not mean an indefinite postponement of the completion of the Inner Circle, he should vote for the Amendment.

MR. RAIKES remarked that this was an "omnibus" Bill, and opposition had been offered with respect to one only of four lines which it was proposed to construct. Some opposition was offered as regarded Whitechapel, and it was urged that as there was a deficiency of railway accommodation for East London, the Circle ought in the first instance to be completed. In dealing with such a Bill, however, the interests of Chelsea ought to be considered, as well as those of the Tower Hamlets. It might be desirable to adopt some of these Bills, which might be dealt with according to their individual merits. At the same time there were objections to the Bill besides those mentioned by the noble Lord; one being that the contractor was to be paid by a rent-charge, which was to have precedence over all other rent-charges granted by the Company, except those granted to landowners. Another and a stronger objection was that the Bill would enable the Company to pay interest—that was to say, in his opinion, dividends—out of capital. Weighing the arguments *pro* and *con.*, if that clause were abandoned, and the House might do well to read the Bill a second time, and if it were sent to a strong Committee, a sound conclusion might be arrived at; but for himself he would not vote for the Bill until the hon. Member for Hythe gave an assurance that the clause which enabled the Company to pay interest out of capital should be expunged.

SIR EDWARD WATKIN said, he did not think the clause referred to would enable the Company to pay dividends out of capital; it was not intended to do any such thing, and a similar power was given to the Great Eastern Railway in 1872. The rent-charge clause was such as that enacted by Parliament in the Metropolitan District (Hammersmith) Act of 1874. The clause alluded to would be expunged in deference to the opinion of the hon. Member for Chester. There was no precedent for rejecting such a Bill upon the second reading, and the Amendment was avowedly in opposition to only one out of 22 separate objects.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 125; Noes 194: Majority 69.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Second Reading *put off* for six months.

MARKET — BUBBLE COMPANIES, FRAUDULENT PRACTICES, &c.

QUESTION.

SIR GEORGE CAMPBELL asked the Secretary of State for the Home Department, Whether, having regard to recent disclosures in the Courts of Law, before a Committee of this House, and otherwise, Her Majesty's Government propose to take any steps to protect the investing public against the fraudulent practices by which prices in the money market are rigged, protective rules are defeated by fictitious allotments and sales, and Companies are floated and managed by professional promoters through directors having little or no real stake in them?

MR. ASSHETON CROSS: It is to be hoped the investing public will themselves be more careful in future than they have hitherto been. However, I should be glad to see the law made stronger in the direction indicated by the hon. Member, and with that view I have submitted the question to those most competent to advise me. Should their recommendation be favourable, a Bill on the subject will no doubt be introduced.

Sir GEORGE CAMPBELL gave Notice that he would take the earliest opportunity of proposing the following Resolution, which he hoped would strengthen the hands of Her Majesty's Government:—

> "That, in the opinion of this House, the law and the criminal procedure should be adapted to deal adequately with the forms of fraud now prevalent. The failure of great limited companies and the collapse of other financial enterprises, causing loss to large numbers of the public, should be made the subject of judicial inquisition, as in the case of shipwrecks and corrupt elections, and all persons found on such inquiry to have acted fraudulently should be prosecuted by a public authority."

ORDNANCE SURVEY—THE CIVIL ASSISTANTS.—QUESTION.

Mr. MONK asked the First Commissioner of Works, Whether it is the intention of the Government to make any alterations with reference to the position of the Civil Assistants in the Ordnance Survey Branch of the Office of Works?

Lord HENRY LENNOX, in reply, said, that the Civil assistants were divided into two classes. The first, who were entered before the year 1870, were recognized as permanent officers, and were entitled to superannuation. The Government had decided they could make no alteration in the status of those gentlemen. The other class had been entered since 1870. They were never considered as permanent Civil servants. They were not examined before the Civil Service Commission, and were not entitled to superannuation. Recently they had had the opportunity of stating their case before the Commission, presided over by the right hon. Member for the University of Edinburgh (Mr. Lyon Playfair), and the Report made was that the nature of their employment did not admit of their being included in any general scheme for the Civil Service.

SUMMARY ADMINISTRATION OF JUSTICE.—QUESTION.

Mr. HOPWOOD asked the Secretary of State for the Home Department, Whether he has considered the Memorial of the Annual Trades' Union Congress presented to him by a deputation on the 11th of November last, praying an inquiry into the appointment and supervision of magistrates and the summary administration of justice; suggesting the right of the accused to trial by jury in cases of assault, and urging the clear separation of civil from criminal matters, and the reconsideration of the whole subject of imprisonment, whether in respect of unpaid costs or fines, or by direct sentences; whether his attention has been called to the imprisonment of 3,232 persons in 1874 for want of sureties; and, whether he intends to propose any inquiry or alteration of the law as prayed?

Mr. ASSHETON CROSS, in reply, said, he had taken into consideration the Memorial referred to by the hon. Member, and that he was in hopes of being able, in the course of the Session, to propose some legislation on the subject.

THE SUEZ CANAL—MODIFICATION OF THE CANAL DUES.—QUESTION.

The Marquess of HARTINGTON asked Mr. Chancellor of the Exchequer, Whether it is true that Colonel Stokes and M. de Lesseps have signed the final documents relating to the modification of the Suez Canal dues; and, whether that modification has been approved by the Khedive, the Porte, and the Maritime Powers?

The CHANCELLOR of the EXCHEQUER: I have already informed the House that communications have been going on between Colonel Stokes and M. de Lesseps on the subject mentioned. Of course, no modifications of the dues of the Suez Canal that might be agreed upon could be adopted until they had been considered and approved by the Khedive, the Porte, and the Maritime Powers who were parties to the Conference. The proceedings between Colonel Stokes and M. de Lesseps have made very satisfactory progress; but as Colonel Stokes is expected soon to return to this country, it would be better not to enter more fully into the subject at present.

ARMY—STAFF-SERGEANTS OF MILITIA.—QUESTION.

Colonel NAGHTEN asked the Secretary of State for War, If he will take into his consideration the retiring pensions of the Staff Sergeants of Militia, who, after twenty years' service, only receive the same amount as Drummers, viz., five pence a-day, whereas up to the year 1852 Sergeants had one shilling a-day on discharge?

MR. GATHORNE HARDY, in reply, said, that it was his intention to refer that question to the Committee sitting on Army Pensions, so that they might go into that question also, and he hoped to receive a report on the subject.

SPAIN—TONNAGE DUES.—QUESTION.

MR. SAMUDA asked the Under Secretary of State for Foreign Affairs, If it is a fact that the Spanish Government is levying one-third more Tonnage Dues on Coal arriving in English ships than was levied prior to the 1st day of January 1876; and, if, as stated in reply to protests by the ship masters, that this is done in regard to a new Treaty of Commerce between England and Spain, to ask if any such Treaty exists to justify such demand for additional Tonnage Dues, and if any new Treaty absolves Spain from granting to this Country the most favoured Nation Clause, as it is reported that these additional Tonnage Dues have been demanded only from cargoes in British ships?

MR. BOURKE, in reply, said, with respect to the last part of the Question, that there was no new Treaty in existence on the subject. There was no claim on the part of Spain to treat England differently to any other country, though no doubt considerable complaint had been made by British shipowners and others with regard to the measure of the tonnage of coals and other commodities. This had arisen from the Spanish Government having adopted a new style of measurement, which they seemed to be at a loss to carry out in a proper manner, and the consequence was that some ships were measured under one erroneous application of the system, whilst others were measured according to the old Spanish system. These things applied not only to England, but to other Powers also; and the Foreign Office had complained to the Spanish Government, pointing out the great hardship inflicted upon British shipowners, and the same view had been adopted by other Governments. There was every hope that these representations would have their effect upon the Spanish Government.

POLICE SUPERANNUATION — REPORT OF SPECIAL COMMITTEE.

QUESTION.

SIR H. DRUMMOND WOLFF asked the Secretary of State for the Home Department, When the Report of the Special Committee on Police Superannuation may be expected; and, whether he intends to introduce any measure dealing with the subject during the present Session?

MR. ASSHETON CROSS, in reply, said, that the Committee upon this subject was appointed last Session, but they did not conclude their labours in the course of the Session, and certain information had to be procured before they could make a satisfactory Report. There had been delay in printing the information; but when it was ready the re-appointment of the Committee would be moved, and no doubt they would then make their final Report.

ARMY—MILITIA QUARTER-MASTERS.

QUESTION.

MR. WAIT asked the Secretary of State for War, Whether he had under his consideration the present retiring allowances granted to Militia Quartermasters; and whether he can hold out any expectation that an improved scale will be adopted?

MR. GATHORNE HARDY, in reply, said, he was sorry to say he could not hold out any hope that an improved scale would be adopted. The reasons he had to give for that decision were too long to state in answer to a Question; but he should be happy to submit them to the hon. Gentleman.

METROPOLIS—HYDE PARK CORNER.

QUESTION.

LORD ERNEST BRUCE asked the First Commissioner of Works, Whether he will state what are the positive objections and defects in the plan proposed by himself last year to amend the traffic in the neighbourhood of Hyde Park Corner; whether the objections to these alterations now prove to be insuperable; and, whether therefore the proposed alterations may be considered to be now finally abandoned; and, if so, whether any other plan for improving the traffic in that locality, which is yearly increasing, appears to him to be feasible?

LORD HENRY LENNOX: In answer to the noble Lord, with every desire to give him every information in my power, I fear that the ordinary limits of an Answer to a Parliamentary Question will prevent my stating in detail the objections which led to the abandonment of the Green Park Road scheme. My noble Friend next asks whether these objections were insuperable, and to that I have only to assure him that if I had not believed those objections to be insuperable I should not of my own unbiased judgment have relinquished a scheme which I had myself devised and hoped would add to the convenience of the inhabitants of London. The third paragraph refers to my future action in this matter, and bearing in mind the confessions of failure I have so recently made at this Table, I do hope my noble Friend will not expect or ask me to burden myself with any more pledges respecting it at the present time.

METROPOLIS — REPAVING THE STREETS.—QUESTION.

LORD ERNEST BRUCE asked the honourable and gallant Member for Truro, Whether the Metropolitan Board of Works have any voice in the time of year selected for repaving the streets of London; and, consequently, whether it is with their sanction or authority that February and March, the two first months of the Session of Parliament, have been selected for the purpose of taking up and repaving the whole of the important thoroughfare of Piccadilly?

SIR JAMES HOGG: In answer to the Question of the noble Lord, I beg to inform him that the Metropolitan Board of Works has no voice in the time of year selected for repaving the streets of London, and consequently it is not with their sanction or authority that February and March have been selected for repaving a portion of Piccadilly, not the whole, as stated by the noble Lord. The Board has a power of veto as regards the closing of streets, and did object in this particular instance to the entire closing of Piccadilly, unless the works were postponed until the autumn; but the Vestry having elected to close only a portion of the street, leaving open a thoroughfare, the consent of the Board was no longer necessary.

COAL—SALE BY WEIGHT—LEGISLATION.—QUESTION.

MR. GOURLEY asked the President of the Board of Trade, If it is his intention to introduce his promised Bill for compelling dealers in Coal to sell by weight only; and, if so, at what period of the Session?

SIR CHARLES ADDERLEY demurred to the statement that he had promised to introduce a Bill for compelling the sale by weight of coal. He objected to the Bill of the hon. Member last year, as he changed it two or three times; and he could only say, if he brought in a Bill this Session he would give it his careful consideration as to how far he might be able to support it.

NAVY—NAVAL CADETS.—QUESTION.

MR. SHAW LEFEVRE asked the First Lord of the Admiralty, Whether any Report has been made to the Board of Admiralty by the Director of Studies at Greenwich upon the state of proficiency of the Naval Cadets of the "Britannia," who were appointed last June under the revived system of pure nomination; and, if so, whether he will lay the Report upon the Table of the House?

MR. HUNT, in reply, said, the Report should be laid on the Table of the House.

MERCANTILE MARINE — TRAINING SHIP SCHOOLS.—QUESTION.

CAPTAIN PIM asked the President of the Board of Trade, Whether he intends to exclude from the benefit of his proposed contribution from the Mercantile Marine Fund "to any school ship or other institution for training boys to the sea service," such school ships or other institutions as are certified under the Reformatory Act or the Industrial School Act?

SIR CHARLES ADDERLEY, in reply, said, before he asked Parliament to authorize grants to be made out of the Mercantile Marine Fund to training-ship schools, he should make an explicit statement of the mode in which he proposed such grants should be made; but he might say that his proposal would be the same as that which he made last year. He did not think such grants should be made for the training of boys whose training was paid or contributed for by other public money—that was for any boys committed by magistrates under either the Reformatory or Industrial Schools Acts; but they might be made to Industrial School ships as well as other school ships which took boys into training who had not been committed by magistrates.

LAND TENURE (IRELAND) BILL.

QUESTION.

THE O'DONOGHUE asked the honourable and learned Member for Limerick, If he proposes to take any steps to induce the Government to give, for the Second Reading of the Land Tenure (Ireland) Bill, a day upon which its provisions can be fully discussed, with the natural conclusion of a division upon the main Question?

MR. BUTT, in reply, said, that having been singularly fortunate in the ballot, he had been able to fix the second reading for Wednesday, March 29. He was disposed to answer the Question by asking another. What steps did the hon. Member think he should take? To ask the Prime Minister to give up a Government day was one which ought not to be made without the strongest reason.

POOR LAW EXPENDITURE (SCOTLAND).

QUESTION.

MR. BAXTER asked the Lord Advocate, If it is true that the expenditure for the relief of the poor in Scotland has risen from £680,000 in 1862 to £794,000 in 1875, although the number of paupers has decreased during that period from 126,000 to 105,000; if the expense of management, which was £85,000 in 1866, was £116,000 in 1875; and, if he has any measure in contemplation for altering the Scotch Poor Law, with a view of preventing its becoming increasingly burdensome to the ratepayers?

THE LORD ADVOCATE, in reply, said, it was true that the Poor Law expenditure in Scotland had risen from £680,000 in 1862 to £794,000 in 1875, and that the number of paupers had decreased in the same period from 126,000 to 105,000. But it was also true that the expenditure, which was £821,000 in 1869, had now fallen to £794,000. Again, the poor rate, which in 1862 was at the rate of £4 13*s*. per cent of the value of rateable property, was now only £3 19*s*., the rate per pound having fallen at the same dates from 11*d*. to 9½*d*. In regard to the increase in the expense of management, it was strictly true that it had increased from £85,000 in 1866 to £116,000 in 1875, while the number of paupers had diminished between those dates. But any one practically acquainted with the subject must know that if there was any connection between the number of paupers and the expense of management, it was this—that the more complete—and therefore the more costly—the management was, the smaller would be the number of paupers, inasmuch as the probability of detecting cases of spurious poverty was increased where inspection was thorough. It might not be out of place to mention that the percentage of expense of "management" on the total Poor Law expenditure—excluding medical relief and buildings—amounted in Scotland to £16, while in England it rose to £26, and in Ireland to £32. But while he could not admit that the Scotch Poor Law was becoming "increasingly burdensome to the ratepayers," there were some matters connected with its administration which seemed to call for amendment, and it was probable that a Bill for this purpose might be introduced during the present Session if the state of Public Business should permit.

INTESTATES (SCOTLAND) ACT.

QUESTION.

MR. J. W. BARCLAY asked the Lord Advocate, Whether he will introduce a Bill to extend to the estates (not exceeding £150) of deceased persons who have left a will the same privileges as conferred by the Intestates Act of last Session on the estates, of a similar amount, of deceased persons who have left no will?

THE LORD ADVOCATE, in reply, said, the Act of last Session to which the Question of the hon. Gentleman referred was passed for the purpose of extending to Scotland the same privileges as were conferred on the children of intestates in England by the provisions of an Act passed in 1873. At the time when the Scotch Act was in contemplation, he considered carefully whether it could be extended to the case of small testate successions; but he found that such extension involved considerable practical difficulties, especially in connection with the recording of the will, and accordingly he did not go beyond the terms of the English Act, except to increase the amount from £100 to £150. He should be very glad, if the practical difficulties to which he had referred could be obviated, to see the privileges which had been accorded to intestate successions extended to testate; but probably the matter had better be dealt with in a Bill affecting the whole United Kingdom.

RECEPTION OF FUGITIVE SLAVES.

QUESTION.

MR. MARK STEWART asked the hon. Member for Bedford, Whether it was intentional on his part or by inadvertence that the second Resolution which appeared in his name in the Notices of Motion on Tuesday morning was not the same as the substantive Motion submitted by him to the House on Tuesday evening, and whether any Notice was given by him of his intention to withdraw the second Resolution?

MR. WHITBREAD: Sir, the Notice which I gave consisted of two portions, one a Resolution and the other for an Address to the Crown. The Resolution will have to be submitted first according to the usual practice. It was not intended upon my part, but by some accident that the second portion of my Motion for an Address to the Crown did not appear in the first Paper issued for today; but the hon. Member will see that in the amended Paper the full Motion is properly stated.

VIVISECTION—REPORT OF THE ROYAL COMMISSION.

QUESTION.

In reply to Mr. STANSFELD,

MR. ASSHETON CROSS said, the Report of the Vivisection Commission should be laid before the House after it had been submitted to the Queen. There had been some delay, for which he could not account, in the printing of the book, and it was with the greatest difficulty that he obtained one or two copies for his own use. As soon as possible the Report should be laid on the Table.

RECEPTION OF FUGITIVE SLAVES—THE CIRCULARS.

RESOLUTIONS. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [22nd February],

"That, in the opinion of this House, a Slave once admitted to the protection of the British Flag should be treated while on board one of Her Majesty's ships as if he were free, and should not be removed from or ordered to leave the ship on the ground of slavery,"—(*Mr. Whitbread.*)

And which Amendment was,

To leave out from the word "House" to the end of the Question, in order to add the words "in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships,"—(*Mr. Hanbury,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. HERSCHELL regretted that the heat of Party feeling had been introduced into the discussion on the first night by some of the Conservative Members. If the attacks made on the late Government were calculated merely to inflict a Party wound he should be content to pass them by and to confine his observations exclusively to the question before the House; but inasmuch as those attacks had a tendency to obscure the question under discussion, and to unduly affect the judgment of Members upon it, he thought it necessary briefly to deal with that subject. The first matter dealt with by the right hon. Gentleman opposite and other speakers on the same side, and which, indeed, formed the staple of their speeches, was an attack on the late Liberal Ministry for the Slave Act passed by them in 1873. He knew not when it was Her Majesty's

Government discovered that that Act was of the character now attributed to it. They had the question of slavery under their consideration in September last, and if the Act had any bearing on the matter it was to be presumed they had looked into it; yet it was not until Tuesday evening that any allusion had been made to it by the Government or their supporters. However, he maintained that the Act of 1873, were it politic or impolitic, had no bearing whatever on the question which arose on the Motion of his hon. Friend the Member for Bedford. That question had reference to the persons of fugitive slaves who had been received on board British ships and were under the protection of the British flag; but the Act of 1873 dealt not with fugitive slaves, but with the slave trade. It was a law enacted by Parliament for the purpose of carrying out arrangements made by Treaties with various States for the suppression of the slave trade; and the obligation of returning slaves applied only to a case where the captain of a British man-of-war had seized a ship containing slaves, either on the high seas or in territorial waters. In such a case, according to the Treaties, the captain was not allowed to judge whether the ship seized was a lawful prize or not, but must submit that question to a Maritime Court, which would decide whether or not he had a right to make the seizure. If the Court decided that the capture was lawful the vessel was forfeited; if the decision, however, were that the seizure had been made in defiance of law, the ship and the slaves it might contain would be restored to the owners under the order of the Court, because the Treaties under which Great Britain was enabled to take measures for the suppression of the slave trade compelled her to make that restoration. Whether it was right or wrong to deal with the slave trade in that way, it was manifest that the seizure of a ship and the restoration of slaves under such circumstances had nothing whatever to do with the question now under consideration—namely, the presence of a fugitive slave on board a British ship and the obligation of the captain to deliver him up. The Secretary of State for War said the Government were prepared to maintain the law which their Liberal predecessors had passed. He (Mr. Herschell) was sorry to hear that if the law were a bad one; and, as an independent Member, looked to the present Government, if they found that mischievous laws had been passed, to endeavour to remedy them; but he denied that the maintenance of the law of 1873 was in any sense a maintenance of the principle of the second Circular or in opposition to the Resolution proposed by the hon. Member for Bedford. The next ground of attack was that the Government were compelled to issue Circulars because they were hampered by the acts of their predecessors; but they said that they had leaned more to freedom than their predecessors had done, and had endeavoured to mitigate the evils of slavery. To what did language of that sort refer? Did it refer to the first Slave Circular? He, for one, should have been quite willing not to say a single word about that Circular. His hon. Friend the Member for Tamworth (Mr. Hanbury) said he should be surprised if any Member of the House, assuming the part of the vulture, should dig the first Circular from its grave. He had, however, to submit to that surprise, which must have been greatly increased when he found the vulture taking the shape of the Attorney General. That Circular, he (Mr. Herschell) contended, contained harder and more rigorous provisions against the slave than any previous instructions issued to naval officers, and it also contained provisions that were erroneous and not justified by International Law. The second Circular was issued to mitigate the rigour of the first, but, as far as there was any credit to be attached to it, he denied that it was issued by Her Majesty's Ministers at all; it was issued by the nation. It was issued because of the indignation felt by the people of England at the first Circular, which they regarded as an abandonment of British rights and an outrage on some of their most cherished principles. He did not, however, make these remarks by way of attack on the Government for having issued the first Circular, because no one knew better than he did how sound the Attorney General was generally on points of law, and he would not lift his voice and say one word against the Government for having acted on the learned Attorney General's opinion, but he was meeting the attacks that had been made upon Liberal Members. They did not commence the warfare. Both sides had been living in glass-houses, but who had been throwing the stones? He ventured to say that no stone had been thrown from his side of the House, except by way of reply to some charge which had been made on the Ministerial side of the House. ["Oh, oh!"] He did not expect hon. Members opposite to agree with him, or anything that he said; but, on the other hand, he could confidently appeal to the House to call to their recollection the speeches made during the former discussion, whether anything in the nature of an attack on the acts of the Government was made, or whether there was not rather an endeavour to discuss the question of principle involved in the Resolution. They should recollect that on that occasion the remark of the hon. Member for Exeter (Mr. A. Mills) was not calculated to lead to a calm discussion of the question—when he compared those who sat on the Opposition benches to Satan by saying it was a case of Satan rebuking Sin, at the same time adding there was nothing he deprecated more than political *tu quoques.* With reference to the second Circular, he did not intend to deal at length with the law of the question, although he had something to say with reference to it. With regard to this matter there were three principles which must be taken into consideration for the guidance of the House—two had been generally admitted, but the third had been subjected to some contest. The first was, that British ships of war were intended in general for the reception on board of those persons only who were in the service of Her Majesty or whose presence was required for the purposes of the enterprizes on which the vessels were engaged. The second was, that a British ship of war, even in foreign waters, was subject to British law alone, and that the foreign local jurisdiction no more prevailed on board such a vessel than it did in the British Isles. The third principle was, that a British ship was not justified, when admitted into the foreign waters of a friendly State, in using her immunity from local jurisdiction for the purpose of inciting, or procuring, or inducing a breach of the local laws of that country, and that the country so offending would, according to the comity of nations, justly be called to account by the injured foreign State. The first and third of these principles were generally admitted; the second had been to some extent impugned. He could not quite gather whether the Secretary for War disagreed with the second proposition or not; but the right hon. Gentleman seemed to suggest that it was not in accordance with law. In enforcing his views, the right hon. Gentleman insisted that it was shown not to be so, inasmuch as a British man-of-war was subject to Customs and quarantine regulations. These, however, were things outside the ship, and had nothing to do with the law prevailing on board. The Attorney General had said that if a British ship of war were British soil we must carry out the doctrine to its legal consequences. Admitting this, he could not agree with the hon. and learned Member that we were bound to admit all slaves, deserters, and murderers who chose to come on board. Her Majesty's arsenal at Woolwich was British soil; but, nevertheless, the policemen would exclude many people if they endeavoured to enter. It was not because the right claimed might be unreasonably exercised that the right did not exist. He denied that the comity of nations required, under all circumstances and in every case, that a person breaking the local law should be put off the ship; and Her Majesty's Government, who said the second Circular was good law, admitted it, inasmuch as where life was in peril they justified a defiance of the local law; but by what authority was it to be limited to the single case of danger to human life? He asserted that the danger to human life which justified them in refusing to obey a local law was not the only case in which they were justified in doing so. The second Circular, therefore, leaned more to slavery than it need; it did more than International Law compelled us to do, and so did more than it ought to do. Why were the commanders of Queen's ships to defy the local law in the case of danger to human life? Because the comity of nations never compelled them to enforce a law which would shock the national conscience, and to restore and surrender when the effect of restoration and surrender would be to outrage the feelings of humanity. This was an intelligible principle; and if the Circular, as it did, accepted the principle, ought it to remain in its present form, prohibiting the reception and protection of slaves in cases where under the comity of nations there was no obligation upon us to do so? It was not possible to specify all the cases in which the same principle would require us to interfere; but the matter might safely be left to the discretion of our naval officers in each particular case. Experience did not bear out the statement that they were not to be trusted in such a matter. He did not mean to say that cases of doubt and difficulty had not arisen; but when they considered on the one hand that an officer would have a natural disinclination to encumber his ship with those who were unnecessary to its service, and on the other that he would be keenly sensitive to outrage and wrong, they might safely leave the matter in the hands of their naval officers. But if it was considered necessary to issue instructions, he ventured to say that the proper course would have been to have considered the whole question and reviewed the whole law on the subject. This Circular established a direct difference between the treatment of fugitive slaves and political refugees. If a political refugee came on board one of Her Majesty's ships, the orders were to remove him to a convenient place of safety; but in the case of a fugitive slave they were to send him back, not to a place of safety, but to a place of danger. Where was the principle of International Law which said that the comity of nations compelled them to do the one and to refuse the other? This Circular did not deal with the case in a complete manner, and that was one of the reasons why it should be withdrawn. With regard to the question of International Law, he asserted that its principles had been largely created by the action of England herself, and that she had not been slow, even although there might be danger, in asserting propositions which she believed to be right and just. Was England now to be no longer in the van in procuring the acquiescence of other nations to beneficent principles of International Law? International Law was, to a great extent, transitory in its nature, and principles which might hold when most nations were slaveholders became inapplicable when slavery was skulking in the remoter corners of the earth, and the feelings of mankind were outraged by such a traffic. England had sometimes been accused of a selfish policy in dealing with foreign States; but now when she had no selfish ends to serve, but was acting in the interests of humanity, was she to be more slow to act than she had been heretofore? He agreed that we ought not to bully the weak and truckle to the strong; but, on the other hand, we must not for fear of such a charge, be afraid of doing what was right, and there was not a civilized Power which would not accept the position we might lay down on this question. The Motion of the hon. Member for Bedford put forward the logical proposition that these matters should be left to the discretion of our naval officers; whereas the Government, in place of acceding to that proposal, offered to refer the whole subject to a Royal Commission. If the proper way to deal with this subject were to refer it to a Royal Commission, why, when it was before Her Majesty's Government in November last, did not that course suggest itself to them, and why was that suggestion heard for the first time in the Speech from the Throne? Had the subject been referred to a Royal Commission then, the Commission might have reported by this time, and Her Majesty's Government, instead of having to propose that that course should be taken at this late hour, would have been in a position to announce a policy. What was the Commission to do? It was to inquire into the instructions that had been issued to our naval officers and into our international obligations; but surely these were matters with which they might have made themselves fully acquainted during the three months preceding the meeting of Parliament. The third subject into which the Commission was to inquire was how other nations had acted in reference to their national ships in dealing with this question. He did not want to know how other nations had acted. Supposing other nations had acted as it was desired Her Majesty's Government should act, we should then have the humiliation of finding that we had been waiting for the opinion of others, instead of forming our own on the subject; and if, on the contrary, other nations had acted in a manner in which it was not desirable that Her Majesty's Government should act, were the latter going to follow their bad example? But a far graver objection to the appointment of this Commission was the danger that might result from it. In the event of the Commission taking a narrower view of this question than Her Majesty's Government did, foreign nations to whom we made representations on this subject would point to the Report of the Commission, and say that their views were in accordance with it; and when our Government said—"Oh, but our Lord Chancellor says so and so," they would say—"You were not content to rely upon your Lord Chancellor's judgment. You referred the question to your Royal Commission, and they have reported against his opinion." A reply such as that would place the country in a position of considerable embarrassment; and, therefore, he submitted that the appointment of this Commission would be fraught with danger and difficulty, and might land us in an infinitely worse position than we now occupied. This question was of an importance that raised it far above all Party considerations, and every Member in that House should do his utmost to bring about the best possible solution of this problem. There were two alternatives before the House. The Resolution of the hon. Member for Tamworth (Mr. Hanbury) confessed to a state of mind doubtful and hesitating; it necessitated delay and involved risk; and if they adopted it, whatever they might say to the contrary, foreign nations would think, what he believed to be utterly false, that the mind of England was not made up upon the slave question. On the other hand, they were asked to vote for a Motion which contravened no statute, violated no Treaty obligations, infringed no rule of International Law, but which embodied principles for the sake of which England had made costly sacrifices, and would be willing, with ungrudging hand, to make them again—principles which were as dear to her today, aye dearer, than ever they were in times gone by.

Mr. GORST said, the hon. Member for Bedford, and some of his supporters, had appealed to the independents on the Ministerial side of the House, and had asked them to accept blindly an abstract Resolution without considering by whom it was proposed. He himself thought that the passing of such a Resolution would be a censure on the Government; but since the adjournment of the debate there had been a change of front which left no doubt of the intention of the Opposition. Assuming, as they properly did, that the Motion of the hon. Member would be rejected, they now asked the House to assent to the new Motion of the hon. Member for Hackney (Mr. Fawcett), that the Circular should be rescinded. There was no doubt that a Motion of that kind involved censure upon the Government. It would be rational before they censured the Government to consider what wrong they had done, and to inquire whether it was not the Party opposite that had reversed the ancient anti-slavery policy of this country, and whether the present Government had gone far enough in reversing the policy of their predecessors. He had no wish to introduce Party acrimony into the debate, but it was right that they should know what was the exact position of affairs when the present Government came into office. In March, 1869, Captain Meara received on board one of Her Majesty's ships two slaves who complained that they had been beaten and ill-fed by their owners. The Government of that day, being an economical Government, found that the anti-slavery policy was too expensive for them to adopt, and so they censured the captain of the vessel. Lord Clarendon said he conceived that the commander of Her Majesty's ship was not justified in taking away the slaves in question, because they were the property of individuals, and the owner in such a case was entitled to compensation. In another case, that of the *Daphne*, Captain Sulivan, on arriving at Mozambique in July, 1869, found the place in a panic. Some slaves had been flogged to death, and others subjected to frightful tortures. Negroes came on board and sought the protection of the British flag. Captain Sulivan sailed away with two of these men. In March, 1870, complaint was made of this by the Portuguese Government to Lord Clarendon. Captain Sulivan was subjected to a Court of Inquiry, and censured for not having communicated with the nearest British Consul with regard to the negroes who came on board the *Daphne*. On the 30th of May, 1870, a most humiliating despatch was written to the Portuguese Government, expressing a hope that they would be satisfied with the censure that had been passed on Captain Sulivan, and stating that instructions had recently been issued to the officers of British ships of war on the Coast of Africa which it was hoped would prevent a recurrence of the conduct of which the Portuguese Government had complained. Not a word was said in that despatch about the torture of slaves, or of the flogging of a slave to death. That was the kind of policy which the Government adopted at that time. The next was a remarkable case. In October, 1869, four men, who alleged themselves to be slaves and kept in servitude in Madagascar, in violation of a Treaty with the British Government, asked for protection on board the *Dryad*. The captain immediately communicated with the nearest Consul. The Vice Admiralty Court having inquired into the case decided that, under the circumstances, the captain was fully justified in receiving the slaves on board and refusing to surrender them; but unfortunately for the captain, before the Vice Admiralty Court decided that he had acted rightly, he had been already condemned by the Foreign Office for doing that which the Vice Admiralty Court said was right. Lord Clarendon, in 1870, decided that, when slaves came on board a British ship, claiming the protection of the British flag, because they were in slavery, in violation of a Treaty, it was the duty of the officer to refuse to receive them, to leave them on shore, and communicate with the nearest Vice Consul. A celebrated East Indian Station Order was also issued in 1871, laying down, as the law, that slaves seeking refuge in our ships, in territorial waters, should be returned to their owners. He would like to know whether, in the course of those proceedings, the Law Officers of the Crown were consulted or not upon the legal question involved. If they were not consulted, the late Government had been guilty of a serious neglect of duty; but if they were consulted, was there no legal Gentleman on the opposite side of the House prepared to defend the law laid down by his predecessor. In the case of the *Magpie*, two slaves came on board that vessel while she was in the Persian Gulf, in July, 1871. One was surrendered to the Persian Slave Commissioner, and the other not, because of some informality. But after the surrender of the first slave the Political Resident, being in doubt as to whether he had done right, communicated with the Secretary of the Government in Bombay, and the answer he received was—

> "The Commanders of British men-of-war would not only be authorized in refusing to surrender a slave who had found refuge on board his vessel, but would incur very serious legal responsibilities if he in any way attempted to coerce that slave to return to his master."

It seemed that the Law Officers of the Crown had been consulted in that case. On the 7th of January, 1874, the Government of India gave certain provisional orders for the guidance of our officers in the Persian Gulf; and those provisional orders were found to be in force when the present Ministry came into office. He did not suppose any Member of the late Government would disclaim their responsibility for the action of the Governor General of India, Lord Northbrook, on the 7th of January, 1874. Well, the provisional orders thus issued were these—

> "(*a.*) Commanders of ships riding in foreign territory should not receive domestic slaves on board except under urgent circumstances, as, *e.g.* when a man would be drowned if he was rejected; (*b.*) they should return slaves to their lawful owners or to the public authorities of the place on proper demand being made; (*c.*) commanders of ships which may be technically on the high seas, but practically are brought into close contract with the owners of domestic slaves, should do what they can to avoid receiving the slaves on board their vessels."

The right hon. Member for Bradford (Mr. W. E. Forster) the other night said that such an instruction in regard to our public ships on the high seas was entirely new. The provisional order went on to say—

> "(*d.*) If nevertheless such slaves do come on board, the commander may exercise a discretion whether to return the slave to his master, supposing proper demand to be made, or to retain him and set him at liberty."

Thus, then, the House would see that the anti-slavery policy of this country had already been reversed when the present Ministry took office, although the right hon. Member for Bradford, in addressing his constituents last October, said the people of England could not believe that it was possible for the present Government or for any British Government to issue instructions which gave up rights that belonged to the British flag and reversed the anti-slavery policy, which was our great glory, and which had been maintained at great cost. But the people of England had since then discovered that it was not the present Government, but their predecessors, who had reversed our anti-slavery policy and surrendered the rights of our flag; and hence the exhortation to moderation now addressed to the House by the hon. Gentlemen opposite. The right hon. Member for Bradford said last night he would be prepared to wait for the Report of the Commission if he thought no harm would come by waiting. He now said for himself, in turn, that he would be prepared to vote for the abstract Resolution of the hon. Member for Bedford if he thought no harm would come from that abstract Resolution. That Resolution still further abridged the discretion of our naval officers by forbidding them, under any circumstances whatever, to give a temporary asylum to a slave seeking refuge under the British flag. ["No!"] It said that when a slave was admitted to a British ship-of-war he should be treated on board as if he were free, and not be ordered to leave or be removed on the ground of slavery. Therefore, unless they made up their minds to take the fugitive on board for good, they must under no circumstances receive him. Thus if a slave got on board who claimed his freedom on the ground of Treaty, he must be kept there, though his claim under the Treaty might be false. They would have the rule laid down by Lord Clarendon in 1870 revived, and fugitives seeking to come on board our ships on the ground of Treaty would not be received, while our officers would have to communicate with the nearest Consular station on the matter. The same objection applied to the Motion of the hon. Member for Hackney (Mr. Fawcett), for it would take away the discretion which the present Circular had given to naval officers, who were instructed, by its terms, to keep a fugitive slave on board as long as it was necessary, in order to ascertain the truth or falsehood of his claim for protection. In these remarks offered to the House he trusted he had not been guilty of Party asperity. He had tried to answer the appeal made to independent Members, and to estimate justly the position of Her Majesty's Government upon this question. The only fault anybody could find with the present Government was that they had shown too much caution in reversing the policy of their predecessors. They had already undone a great part of the mischief done by their predecessors; they were prepared to take steps to undo the rest; and the House of Commons at that moment was asked to pass what was equivalent to a Vote of Censure upon them, and that by the Party which had actually reversed the anti-slavery policy of this country, a Party which had surrendered the privileges of the British flag, and all for the sake of affirming an abstract Resolution, which would further abridge the discretion of the naval officers, and also inflict further injury upon the fugitive slave.

Mr. FORSYTH said, that he was unwilling to give a silent vote upon the question, and he wished to explain the reasons which influenced and would determine that vote. The hon. Member for Bedford, in his calm, temperate, and able speech, had rightly admitted that there was no difference between the two sides of the House in their detestation of slavery. All alike, Conservatives and Liberals, were agreed in abhorring an institution which was an offence against humanity. The strongest opponent of the present Government did not believe that it wished to encourage slavery, or that the issuing of the Circular was anything more than an unintentional error of judgment. And this ought not to be, and was not a Party question. The honoured name borne by the hon. Member for Bedford (Mr. Whitbread) was a guarantee that he did not bring it forward in a Party spirit; nor could the Leaders of the Opposition on the front benches convert into an engine of Party attack a Circular which in terms was almost identical with the opinions and instructions of Lord Palmerston and Lord Clarendon. But the Liberal Party were not compromised by those opinions, for they had never heard of them until they were brought to light by the discussion caused by the appearance of the Circulars. As to the independent Members on his (Mr. Forsyth's) side of the House, he felt sure that they would act independently, and not be forced by the allegiance of Party into a vote contrary to their convictions on a matter so deeply affecting the happiness of their fellow men, and also the character of this great nation, as did the question now before the House.

He could have ardently wished that the Government, taking advantage of the appointment of a Royal Commission, had agreed to suspend and withdraw their Circular until the Commission had reported. In that case he should have voted against the Motion of the hon. Member (Mr. Whitbread), because he should have thought it premature and unnecessary. He could not understand why the Government had not adopted that course. If they were so sure that they were right in issuing this Circular, why did they appoint the Commission at all? It seemed to him that the issuing of the Commission betrayed an uneasy suspicion in their minds that the Circular was wrong; and, if so, would it not be better to wait for the Report of the Commission? Was there any reason for haste in this matter? The matter was first brought under the consideration of the Government in a letter dated March 9, 1874, from Sir Louis Mallet, the Under Secretary for the India Office, but no answer was sent to that letter from the Foreign Office until April 13, 1875; and could not that question be delayed for a few weeks which had been allowed to sleep for 14 months? He would now address himself to the second Circular, under the two aspects of law and policy. He was not going to say that this Circular was contrary to law; but that the first Circular was contrary to law he unhesitatingly affirmed, and although the Attorney General said it was good law, it had been condemned by the Members of the Government, the Lord Chancellor, and everyone else, and he had never heard a lawyer say it was right. Chief Justice Best, in the case of "Forbes *v.* Cochrane," said that if a man were once received on board a British ship of war and then remitted to slavery, he might just as well be consigned to the deep. Lord Brougham had expressed a similar opinion in the House of Lords in 1842, and the House had heard from the right hon. and gallant Gentleman (Sir John Hay) that this was the traditional view of the British Navy. In the year 1815, after the Treaty of Ghent, a correspondence passed on this subject between the American Minister and Lord Bathurst. During the war with America, a British ship had sent a flag of truce on shore, and it was alleged that the captain of the vessel had allowed 11 negroes to get on board and had carried them away. The captain denied the fact; but a correspondence ensued between Mr. Quincy Adams and Lord Bathurst, in which the captain denied the fact—but said that if he had received escaped slaves on board his ship he would not have delivered them up, but have referred the matter to his Commander-in-Chief. The Instructions in the present case were not contrary to law, because no captain could be bound to receive anybody on board his ship except the crew, the passengers, and the officers of the ship; but when any person, alleged to be a slave, was once received on board, according to the Circular the captain was to give him up, and he would become a slave again. It might be said that to avoid that consequence the captain was ordered in the Circular not to inquire into his status, and not to surrender him to a demand. But was not this something like a subterfuge? The captain would know that the man was a slave, and that if he went back he would be consigned to slavery again. If goods were feloniously stolen, and an advertisement were issued saying that if they were restored no questions would be asked, this might seem to be a very innocent thing; but the law pierced through the thin disguise, and sternly called it by the ugly name of compounding a felony. The Circular was totally silent as to the case which frequently occurred of a slave coming clandestinely on board, and the officer must still exercise his discretion in such cases. Take the case of two ships of war going into the foreign waters of a slave-holding State, one anchoring just within the territorial waters and the other on the high seas within a few yards of the other. If two slaves escaped from the shore to the ships and one swam to the vessel on the high seas he would be free, while the other who went on board the ship within the territorial waters, although it might be only 20 yards distant, would be sent back into slavery before the day was over. Public opinion would see no distinction between these two cases, and would not consent to a Circular which established such a distinction. Admitting that the Circular was not wrong in point of law, did the comity of nations and International Law require that we should surrender a fugitive slave who fled to a British ship and claimed the protection of the British flag. If such surrender were not required by the comity of nations the Circular was wrong and ought to be withdrawn. If it were required, we had no option, and must surrender a runaway slave who came on board a British ship in territorial waters. There were two conflicting principles — the first, that every independent State had jurisdiction within its own territory, including its territorial waters; and the other that no Foreign Power had any jurisdiction whatever over any British man-of-war, whether in territorial waters or on the high seas. This had been asserted by every writer on International Law, but he would content himself with quoting a passage from the work of M. Calvo, a French author of great authority on the subject. M. Calvo said—

> "The reasons which subject a merchant vessel to the territorial jurisdiction, have no possible application to a ship of war, of which the character, organization, and employment, are essentially different. Therefore, in whatever place it finds itself, it remains exclusively governed by the sovereignty and the laws to which it belongs."

The captain of a man-of-war, however, had no right to use violence to break the chains of the slave unless he was enabled by treaty to do so. He must remain perfectly quiescent, perfectly passive with regard to domestic slavery; if not, he violated national law and acted contrary to the comity of nations. There was, as Mr. Justice Bayley had said, a great difference between making the law active and allowing it to be passive. And in the case of "Forbes *v.* Cochrane" Mr. Justice Best said that the comity of nations was a maxim that could not prevail in any case where it violated the law of our own country, the law of nature, and the law of God. Convicts and murderers might and ought to be expelled from a ship of war by the comity of nations, for they had committed crimes admitted to be such by all nations. But there was no comity of nations which required that the captain of a man-of-war should assist actively in restoring a slave to his owner. An escaped slave was not in the same category as a murderer or a thief—for the only thing he had stolen was his liberty. We had no right to use force for the purpose of putting an end to slavery; but, on the other hand, no State had a right to ask us to use force to restore a slave to his master. The captain of a British man-of-war ought not to be called upon to act as a policeman in favour of the slaveowner. Then, with respect to the obligation of Treaties—so much insisted upon by his right hon. Friend the Secretary of State for War, and which seemed to have a great effect on the House—all the Treaties on this subject for the last 30 or 40 years — and there were 32 in number—were made with States for the purpose of preventing the slave trade, and had no reference to fugitive slaves. It was said that the Members of the former Liberal Government were extremely inconsistent in condemning this Circular, having themselves been parties to the Act of 1873, which for the first time contained a provision that slaves should be restored to their owners. There never was a more unfounded assertion. The law of 1873 only consolidated the Acts relating to Treaties for putting an end to the slave trade, and precisely the same provision for the restoration of slaves to their owners, if the seizure were condemned by a competent Court, was contained in 5 *Geo.* IV. cap. 113, enacted by a Tory Government. It might be said that slave-holding States would exclude our ships from their ports if they became a refuge for fugitive slaves. But he (Mr. Forsyth) would like to know what slave-holding State would dare to do this? Would Spain, or Brazil, or Madagascar, or Zanzibar venture to shut their harbours against the British Navy and British commerce? He believed that they would not—that the danger was absolutely chimerical. He believed the true solution of this question was to leave it to the discretion of commanding officers. The captains of our men-of-war were gentlemen, men of humanity and judgment; and no real difficulty would occur if the matter were left to their discretion. And in one important particular the matter was left to their discretion, for the Circular provided that where life was in manifest danger the captain was to receive the slave. He therefore must determine whether there was or was not danger to life, and this was a question in which one man would form one opinion and another another, and so it was a matter of entire discretion. Suppose the slave truthfully said —"No! I shall not be killed—I am too valuable for that—but I shall be severely flogged," what was the captain to do in such a case? It was because this Circular seemed to be in the interest of the slaveowner rather than of the slave, because it enabled the slaveowner to assert his property in human flesh, that a feeling of dissatisfaction pervaded the public mind in regard to it. He believed that the instinct of a whole nation was seldom wrong. For these reasons, although he should reluctantly be placing himself in opposition to the Government with whose principles he generally agreed, and whose conduct he generally approved, he should vote for the Motion of the hon. Member for Bedford.

MR. PEASE said, the right hon. Gentleman the Secretary for War had alluded, with great feeling, to scenes of his early life, and to his acquaintance with those great promoters of the abolition of slavery, from whose footstool he drew the inspiration which he had brought to the House on the question of slavery. He (Mr. Pease) had also passed his early years in close acquaintance with the followers of the noble band, and had been in close fellowship with that Christian Church which had, more than 100 years ago, expressed, in instructions to its members and missionaries and teachers abroad, in earnest terms, the deep abhorrence that was felt in regard to the slave traffic. The hon. Gentleman (Mr. Pease) read the extract he referred to, and reminded the House that at the time it was issued, 1758, and for 30 years afterwards, this country was a slave-holding and a slave-trading country, but the light of liberty had spread, for during the last 50 years, this country had not only abolished slavery and the slave trade in her own colonies at a great sacrifice, but had entered into Treaties with other nations, and had kept a fleet upon the seas to hound down the traffic in slaves, and root out the system of domestic slavery. The history did not end here. A few years ago, when a fierce war was raging on the other side of the Atlantic, the sympathy of this country only went with the North when it was fonnd the result would be freedom to the slaves. Their attention had been called to the state of the slave trade on the East Coast of Africa, and they had sent out a special mission to Zanzibar, and had almost enforced Treaties there with the object of destroying the slave trade, and rooting out a thing which he wished to keep steadily before the House—namely, the horrid institution of domestic slavery; and more than that, they had brought home the other day the travel-worn attenuated remains of a great African traveller, who had caused their attention to be directed to the slave trade of the whole continent of Africa, and they had buried him in that large mausoleum where the great of our country were interred, and under the statue of Clarkson and Buxton and other famous philanthropists. Why had he made this sketch of things which were well known to every man in the House? Not to celebrate the triumph of Party, because he thought Party had very little to do with this matter; but to celebrate the great triumphs of the great Anglo-Saxon race, both on this side and on the other side of the Atlantic Ocean. It was the proudest page of the history of that race which chronicled the efforts it had made, not only to alleviate the sufferings of the slaves, but to secure their liberation. The real matter under discussion, he contended, was not the Commission, but the proposition that henceforth a slave once admitted to the protection of the British flag should be treated whilst on board one of Her Majesty's ships as if he were free, and should not be removed on the ground of slavery. The hon. Gentleman the Member for Bedford (Mr. Whitbread) had insisted that under the British flag they did not know a slave; and he went further, and suggested that they should go further, and ask Her Majesty that they might repeal those letters, instructions, and Circulars which had been sent out from time to time, and which were at variance with the proposition which the hon. Member laid down in his Resolution. Well, whether the Commission they were to have was wise or foolish, he believed that it could be attended but by one result. The fiat had gone forth from the people of the country, and no Government would for one day or for one moment have the confidence of the people who did not adhere to the very simple terms of the Motion, and that which was involved in the Motion of the hon. Member for Bedford. Why, he asked, should they delay to conform to that which his hon. Friend proposed to the House? Why should they delay that which, whatever the Commission reported, the country and the House, he believed, emphatically affirmed as necessary? Why delay until some other country had taken a leaf out of our book, but, at any rate, had followed our policy, and did that which we ought to do, and declared what, he hoped, the House would declare to-night, that they knew nothing of slavery wherever the national flag was unfurled. They spoke of independent Members in the House, and his appeal would be to those Members. What were independent Members? It seemed to him they were those who either having been in office had left the honours of office with the great trials of office behind them, and they were those who came into the House not looking at Membership as a stepping stone to higher honour for themselves, but as the Representatives of constituencies who looked upon their independence with approval, and knew their independence of thought and character. He appealed to these independent Members on the present occasion. The hon. Member for Bedford was one of the foremost of independent Members; but it had been said that he had been "put up." He did not ask Mr. Speaker to call the hon. Member for Tamworth (Mr. Hanbury), who had made this statement, to Order, because he knew the judgment of the House would condemn the phrase as applied to the hon. Member for Bedford; but he believed the hon. Member had been put up to speak—put up by his own feelings—because he felt that the character of this country before the nations of the world was in danger if they delayed or played with, or tampered with the question. At any rate, the name of his hon. Friend would not go down with those of hon. Gentlemen who had attempted to delay a process which the country was anxious for. He wanted to know how any hon. Member could look on the matter as a Party question. Those who had read the letters of Lord Palmerston or of Lord Clarendon, or the two Circulars on the question could come but to one conclusion—that we had done those things which we ought not to have done, and we had left undone those things which we ought to have done. The hon. Member for Tamworth had spoken of domestic slavery as a thing very difficult to handle, and had spoken of violation of Treaties with other nations. God forbid that he (Mr. Pease) should say anything in violation of Treaties, but none of these Treaties made us parties to domestic slavery, and there was no fear of the violation of Treaties. Domestic slavery was contrary to the laws of God and man. The only countries where a system of domestic slavery prevailed were parts of South America, Turkey, Egypt, Arabia, the West, and part of the East Coast of Africa, Mahometan, and half civilised countries that were fast sinking into the lowest moral depths as nations. This accursed system of slavery was, he believed, one of the chief causes that were sapping their foundations. What would be the feeling of Wilberforce, of Clarkson, or any of the early abolitionists if they could walk into the House and find a discussion of this kind going on? Surely it would be thought this was not the nation that was the foremost in the righteous cause of giving freedom to the slave at a time when she had arrayed against her the slaveholding powers of Spain, Portugal, and America. All that had passed away. He was thankful for the Circular, inasmuch as it had drawn the attention of the people of England to the subject. He would welcome a Commission as having the same effect. It needed no seer to foretel that the feeling of the people of England would be true to their traditions and history.

Lord ESLINGTON said, he did not rise in answer to the appeal which had so often been made to independent Members, because on such a question as this they ought all to be independent Members; but he rose mainly with the object of expressing to the Government a very strong wish that before this debate closed they would see their way to adopting some course which would save the House from a Division. He foresaw that not only the great Party to which he belonged, but the whole House, would by a division be placed in a false position. There had been a great deal of misunderstanding on the subject, some misrepresentation, and there had been admittedly many mistakes, and he himself would not be a party to making another. He believed that a division would be a mistake. The House was actuated by a sense of double duty in the course which it had to take. Its first duty was that which it owed to itself, a duty big with great, noble, and glorious traditions; a duty which had its origin in the deepest and strongest feelings which could actuate the English people—hatred of slavery. Its second duty was that which we owed to our neighbours. They were all of one mind upon this subject; but if a division happened the old Party organization would come in, and the Liberals would go into one Lobby and the Conservatives into another; and the impression would consequently get abroad that the Liberal Party were the friends of the slave, and the Conservatives his enemies. He, as a Conservative, had a strong objection to being placed in such a false position. He did not say that the Government wished to place them in that position; but the *necessitas rei* would place them in it if there was a division upon this Motion. He should have thought that the policy which was dictated by high feeling and spirit would have been easy to adopt; but when they came to put on paper their instructions to carry out that policy, the lawyers immediately disputed about every word. He did not want to argue this question on petty considerations. They had had rather too much of that lately. Let them try to decide so as not to be hard on the slave, nor uncivil to their neighbours, nor untrue to Treaties. But the difficulty was, how was that to be done? Both sides of the House were of the same mind as to what ought to be done. They wanted, in fact, to do the same thing. All they needed was a clever fellow to tell them how it was to be done; but they could not find him. He was afraid the Government would, if they persisted in their course, find themselves in a false position. They had issued a Circular, and now they were going to appoint a Commission. He had always thought that the object of a Commission was to get information; but the Government had issued the Circular without that information. If information were necessary, why not suspend the Circular? There was really no sense in saying—"We have issued a Circular, and now we want information." That was putting the cart before the horse. He was very anxious that they should, if possible, avoid a Division, as it would be sure to be misinterpreted. He had a very strong opinion that there were a good many Members on the Conservative side of the House who did not like this business. They did not see their way to its approval, and they did not think it had been conducted with that dexterity which might have been expected. In saying that, he did not wish to throw any discredit on the Government. He gave them full credit for good intentions. He believed they wanted to do what was right; but that was not always a very easy thing to do. He thought the matter might very well be left to the discretion of our naval officers. He repeated that he did not like the Circular. It had an ugly hard sound about it. Moreover, he did not think it was necessary. In conclusion, he was sure of this—that if they were dragged into a division the only effect on the mind of the country would be that the action of the House of Commons would be misconceived, and the existing confusion would be rendered still more confounded.

MR. WADDY said, the debate afforded the most lamentable history of *tu quoque* that he had ever listened to. The time of the House had been occupied throughout by an accusation on one side of, "You did it," and of the retort on the other side that "You did it quite as much as we." He thought the time had arrived when this country ought to put aside all precedents and boldly declare that henceforth the grand principle England would act upon was that there should be no peace for slavery. Having abolished slavery in their own possessions, they sought to lay down the principle which lay at the root of the Resolution before the House. Until lately, however, they could not do it. Their position was complicated by the case of America, to which the cursed legacy of slavery had been left by ourselves. But that had all gone. It was not until 1865 that, in a Circular, they laid down anything like a principle. It was then declared that Great Britain was determined to put down the slave trade, and that there was a system of domestic slavery with which they did not wish to interfere. He did not say they ought to interfere with domestic slavery; but what he desired to see laid down was that they would never recognize it again in their dealings with those who maintained it. Then, in 1870, they had the Circular of Lord Clarendon with respect to Madagascar, saying that they were not warranted in depriving the inhabitants of slaves who were rightfully their property. This nation, however, had spoken out on the subject, and the time had come when they did not own that slaves were the rightful property of anyone—that any man could have property in another. They could not do better than to let it be clearly understood that for the future, whatever might have been done in the past, they would do all that lay in their power to mitigate the horrors of slavery, and, if possible, put an end to it altogether. At length they came to the two Circulars of the present Government, and they found themselves in this position—that scarcely a single case could be mentioned of a difficulty arising in respect of the slave trade that was not due to the determination of those with whom they had Treaties on the subject to break through those Treaties. It was to that, and not to their naval officers, that those difficulties were to be attributed. They could not put down slavery and leave the slave trade alone; and it was time they should recognize that fact, as he believed they could now do with safety and propriety. He should have liked to see the Resolution of the hon. Member for Bedford worded more strongly than it was, and that it should declare that a slave once admitted to the protection of the British flag became from that moment free, and should not be permitted to return to slavery. The principle of the Amendment was no principle at all, and for that matter there was no reason why it should not have been made a rider to the original Motion. They might have a Commission if it were necessary to enlighten them as to the state of the law, of which different versions had been given on both sides of the House; but the question of the law did not affect the real question now at issue. He, for one, did not mind whether it was the Lord Chancellor or the Attorney General who was right in his law. He declined altogether to go into cases and precedents, by which Lord Derby and Lord Clarendon had felt themselves to be bound; for, whatever the law might have been in the past, there ought to be no doubt as to the course which this country meant to take in the future. If any Circular gave the slightest encouragement to slavery he should deem it his duty to vote against it, from whichever side of the House it might have emanated. This question was likely to become a Party one, unless Her Majesty's Government would join in the attempt to do away with slavery. The House ought to lay down the principle that henceforth it would never hold out the hand to slavery, and he felt sure that the voice of the nation would support the House, even at the risk of losing any association with the most important port of Madagascar. The nation did not want to infringe any grand principle of International Law; what it wanted was to refuse in future to recognize the property of man in man. Supposing one of our men-of-war happened to be in the territorial waters of a State in which human sacrifices were legal, and a slave escaped to the ship at the time when he was about to be murdered, would the captain give up a human being to be massacred, whatever might be the municipal law of the country? The owner of the fugitive might say—"I demand him on the ground that he is my slave. It is true I am going to sacrifice him as a sacrifice to the gods, but I do not put it on that ground; I only ask you not to deprive me, an inhabitant of this country, of a slave who is rightfully my property." He was aware that this was an extreme case, but principles must be tested by extreme cases; and, moreover, it was only in such cases that difficulties had arisen. It was time that they should make up their mind boldly and definitely to sweep away all cases of Treaties and precedents—[*Ironical cries of* "Hear, hear"]—which made war on the personal liberty of the slave. Hon. Gentlemen opposite might derisively cheer that statement; but they might depend upon it that it would be repeated in the country, which was now thoroughly alive to the importance of this question. Let them try once more to get into the front of the fight for freedom, in which Great Britain had in bygone days taken a leading part, and let them afterwards take steps to secure the co-operation of America, France, Prussia, and the other great nations of the civilized world. If a Royal Commission was appointed, what was the captain of a Queen's ship to do meanwhile? When a slave sought shelter on board, was the captain to say—"I should like to protect you, but the fact is that a Royal Commission is sitting just now, and until it has reported I can do nothing for you; a few months hence the question may be settled, and if I come back here I may then be able to take you on board; but, meanwhile, back you go—back to slavery, or even to torture and to death?" Was that the answer that that was to be given to the poor fugitive slave by a British officer? The House would answer "No;" the country would answer "No; and, indeed, the country was answering "No" every day with an emphasis that could not be mistaken. If the Prime Minister was present, he (Mr. Waddy) would appeal to him to take advantage of the opportunity now offered him of acting in accordance with the unanimous feeling of that House and of the country. He would ask him now, towards the close of his long political life, to join his name to the names of the great men who in times past had laboured for the abolition of slavery, and to add the crowning stone to the edifice of which the foundations were laid by Wilberforce and his contemporaries.

MR. BENTINCK said, it had never been his fortune to listen to a debate in that House in which more ability, earnestness, and sentiment, had been cut to waste. In dealing with matters of this kind it was necessary to drop sentiment and adopt practical views. As far as he had been able to gather from the tone of the debate, there was no difference of opinion on either side of the House. They had but one object, and that was to mitigate the evils of slavery. What they had now to consider was how they were to deal with existing circumstances. It was all very well for the hon. and learned Gentleman who had just spoken to tell them that they must at once denounce slavery, and if a *pronunciamiento* from this country could at once put a stop to it, they would all endorse the proposal. He remembered when he was once lying in a foreign port news arrived of a very large capture of slavers, and happening to meet at dinner that day with a distinguished individual who was largely embarked in slave-trade speculations, he asked him whether the reported capture would have the effect of putting a stop to the slave trade? The reply was that a speculation which paid 22½ per cent could not be stopped by any human ingenuity. He believed his informant was perfectly correct. It would certainly never be stopped by making speeches in the House of Commons. It appeared to him that the Motion, if carried, would rather tend to complicate the difficulties of the position than to smooth them down. The hon. Member for Bedford and the right hon. Member for Bradford (Mr. W. E. Forster) both repudiated any Party feeling in this matter, and there had been assurances from all quarters that this was not a Party question. All he could say, after a good many years' experience in that House, was that if it was not a Party question, it looked wonderfully like one. His right hon. Friend advised that both sides of the House should take counsel together; but was it possible for them, as a body, to deal with a question involving the construction of Treaties and complicated points of law? It was perfectly hopeless for the House to undertake such a task; and if it did, it must fail in the undertaking. If the House could not deal with it, somebody must—and what could be better than a Royal Commission? He was no partizan; but he believed that the Government were perfectly right in the course they had suggested. The right hon. Member for Bradford had objected to the instruction which informed commanders of Her Majesty's ships-of-war that within the territorial waters of a foreign State they were bound by the comity of nations, while maintaining the proper exemption of their own ships from local jurisdiction, not to allow them to become shelters for those who would be chargeable with a violation of the law of the place. He, for one, could see no objection to this instruction; because to deny it was to say that England was omnipotent, and could with impunity, and in defiance of Treaties, break the laws of other countries. He asked how the House of Commons could endorse a proposition like that? He was heartily desirous that they should find some escape from the difficulty which he admitted they were all placed in; but of this he was sure—that it would not be found in the Motion before them. To what higher or better tribunal, then, could they resort than to a Royal Commission composed of some of the ablest men in the country? No one in the House or out of it was more anxious that slavery should be put down and finally got rid of all the world over; but what would be the result of dividing upon the Motion? Why, it would inevitably have the effect of conveying the impression that there were two Parties in the House—one in favour of slavery, and the other opposed to it. Was that the way to get rid of slavery? Would not the creation of such an idea contribute greatly to weaken the moral force of this country in dealing with the question? It had cost England a large amount of blood and treasure in her endeavour to put down the slave trade; but he believed that the moral example of the country had contributed to that end more largely than anything that had been done by our cruisers and by force of arms. If, however, they were to put forth the impression now that there was a strong party in the country still in favour of slavery, they would enormously diminish its moral force. He implored the House to consider this point before they came to a division upon the subject. Great stress had been laid upon the fact that during the complications which had occurred where our men-of-war had acted upon the slavery question, in only one case had instructions been applied for. That one fact was sufficient to justify the Government in issuing full and complete instructions to the officers in command of Her Majesty's ships as to the course they were to adopt under the difficult and complicated circumstances with which they had to deal. No officer should be left in doubt as to the course he should pursue; because, if he were left to himself, he might, with the best intentions, render himself liable to be sued for damages, although he had performed a duty which humanity demanded of him. Why ought such a responsibility to be thrown upon our naval officers, instead of each Government taking the responsibility of dealing with the question? He happened to hear that morning a case that occurred a good many years ago to an old and gallant friend of his, now one of the most distinguished Admirals in the Service. It did not apply directly to the slave question; but it showed the difficulties with which our officers had sometimes to contend. His gallant friend took upon himself to release, by force, an Englishman who he thought was unjustly detained in a foreign port. The attempt succeeded in consequence of the gallantry on the part of the releasing party, who were opposed to a much superior force. His gallant Friend sailed from the port a day or two afterwards for the Pacific, and on his arrival there he found two letters—one containing a very severe reprimand from the Board of Admiralty for the course he had taken, and the other from the then Foreign Secretary (Lord Palmerston) giving him the highest possible encomiums for his gallant exploit. Well, he asked, ought any officer to be placed in a position in which he was liable at once to be praised and blamed, and still less in a position where he was called upon to deal with complicated questions which puzzled the ablest lawyers in that House? What would inevitably happen if they passed the Resolution? They would then have proclaimed that every slave setting foot on one of Her Majesty's ships was a free man. The fact would become known in States in which domestic slavery existed, and what would happen if a body of 500 or 1,000 slaves were to force themselves—knowing they would thus become free men—on board a Queen's ship? It was a case—whatever the number might be — sure to occur as the inevitable consequence of adopting the Resolution; and what, under such circumstances, was the commanding officer to do? He could not send them back, and yet he might have no means of stowing or feeding them. He trusted that the House would decline to deal with the question in a manner which would land us in such endless difficulties. The right hon. Gentleman the Member for Bradford said that, this not being a Party question—although it looked very like one — no humiliation would attach to the Government if they accepted the Motion; but he trusted he had shown the right hon. Gentleman that such a course, instead of lessening, would greatly increase and aggravate existing difficulties. He did not see why the argument in favour of withdrawal should not hold good in one case as well as the other. Why should not hon. Members on both sides take counsel together in order to get the House out of the false position in which it was now placed? Let both the Motion and the Amendment be withdrawn, and let it stand forth to the world that Party spirit had no share in the matter, and that the House was unanimous in its desire to do away with slavery and the slave trade. If, however, they refused to withdraw the Motion and Amendment they would compel the House to stultify itself and make the question of slavery a mere stalking-horse for Party strife.

MR. STANSFELD said, that if the debate had been conducted in the spirit of the speech of the hon. Member for West Norfolk (Mr. Bentinck) there would have been no difficulty in keeping it outside Party questions. But on the other side of the House attacks had been made on the conduct of Liberal Administrations, and it was not possible that these attacks should not be met with some reply. The hon. Member for Tamworth (Mr. Hanbury), the hon. Member for Exeter (Mr. Mills), the right hon. Gentleman the Secretary of State for War, and the hon. and learned Member for Chatham (Mr. Gorst) appeared to have spoken from one brief, which contained only the words—"No case—abuse the opposite attorney." ["Oh, oh!"] He would justify that assertion. Their argument was that the Government had been hampered and fettered by the precedents and legislation of previous Liberal Administrations. That was not a defence worthy of a Government in a case of this kind, because a Government was bound to stand upon the justice and merits of its own decrees. The precedents relied upon by the other side were only six in number. The first was the case of the *Romney* in 1837. That was, however, no precedent for the action of the Government, but a decision of Lord Palmerston's on a specific case, and the clue was to be found in the letter of the Havana Commissioners, nor was there a person who would not say that Lord Palmerston was the last person to have put his hand to the second Circular. There was then the case of the *Danube* in 1856, which was the first of Lord Clarendon's decisions, and it was to the effect that a slave once received on board a British man-of-war could not be surrendered. [MR. HANBURY: That was in Brazilian waters.] He would admit that Lord Clarendon's subsequent decisions were not in accordance with that doctrine. Then came the cases of the *Nymph*, the *Dryad*, and the *Daphne*, and these Lord Clarendon decided in accordance, not with the first but the second Circular of the Government. He would not ask whether the Government were right or wrong in issuing this second Circular; but in what possible sense or manner could they have been hampered or fettered by these precedents? These were, in fact, conflicting decisions, and he admitted that the Government were entitled to cite those of 1869 and 1870 as precedents in their favour. If they were of opinion that their last decision was right, then the Government were not justified in sheltering themselves behind the decisions of Lord Clarendon, as if they were hampered and fettered by them. If, on the contrary, the Government regarded their decision as wrong, they must now be aware that nothing would have given them greater strength and popularity with the country than to have over-ridden those personal decisions of Lord Clarendon. He now came to the legislation of 1873. He regretted that the Secretary for War was not present; because he felt bound to question the arguments which the right hon. Gentlemen had addressed to the House the other night. In the first place, he would contend that that argument was irrelevant; because they were dealing with fugitive slaves, and not with the capture of slave traders. The right hon. Gentleman went further, because he accused the late Government of a kind of plot in 1873 in passing through the House of Commons during the small hours of the morning, and without discussion, an Act which took away the liberties that were guaranteed to the slave under former Acts of Parliament.

MR. GATHORNE HARDY: I never said anything of the sort.

MR. STANSFELD said, that if the right hon. Gentleman said nothing, there was of course nothing to reply to.

MR. GATHORNE HARDY: It is a reply to a statement that is utterly incorrect.

MR. STANSFELD: I think the right hon. Gentleman is hardly courteous. I am in the recollection of the House, and I am ready to say what were the statements of the right hon. Gentleman. What he said the other night was that in the Consolidation Act of 1873, which he said was an Act passed without discussion, certain provisions of previous Acts of Parliament had been repealed or left out.

MR. GATHORNE HARDY: I said nothing of the kind. It was the hon. Member for Exeter (Mr. A. Mills). I said nothing of the sort.

Mr. STANSFELD: If I am mistaken, of course, I apologize to the right hon. Gentleman. At any rate, the argument was adduced.

Mr. GATHORNE HARDY: But not by me.

Mr. STANSFELD said, he would address himself to an argument which he thought the right hon. Gentlemen would not deny. The argument stood in this way. It had been supposed that the Consolidation Act of 1873 deprived the slave of the opportunity of procuring his freedom which was conferred upon him by the Act of 1824, for it provided that in case of an appeal from the decision of the Court on the seizure of a slaver, the slaver, instead of being surrendered, should be valued and treated as if he had become the prize of the Crown. His (Mr. Stansfeld's) answer to that objection and charge against the late Administration was, that that was the reading of the Act of 1873. The answer to that objection was that in the Act of 1873 no special provision was made respecting slaves illegally detained in slavery which had been specially provided for in the Act of 1824, which had become obsolete before the passing of the Act of 1873. But the right hon. Gentleman the Secretary of State for War said the second Circular did infinitely more for the slave than any previous Circular. Now, if there was any infinitude at all, it was the infinitude of littleness, so far as the liberties of the slave were concerned. It deprived the captains of our ships of war of almost every possible discretion in dealing either with the reception or protection of slaves who might seek a refuge in their vessels. The Circular destroyed all discretion, and there was absolutely no conceivable case of a slave fleeing from outrage, torture, or even from life itself in which a captain would be entitled to exercise his discretion in receiving that slave under the protection of the British flag. According to the terms of the Circular a slave might be received on board if his life was in imminent danger; but when he had been rescued from that danger what was the commander of the ship called upon to do? He was no longer to permit that man to remain under the protection of the British flag or on board that vessel. The word "surrender," which was objectionable and dangerous, was avoided; but, in point of fact, they did not leave any discretion to their commanders in any exigency, however urgent to receive a slave under the British flag. No one could imagine that whether the law did or did not require such a course of proceeding the country would submit to such a regulation. The hon. Member for West Norfolk said he could not vote for this Resolution because it was illegal and inconsistent with International Law and the obligations of Treaties; but he (Mr. Stansfeld) maintained there was nothing whatever illegal in the Resolution of his hon. Friend. He did not deny that the Circular was legal; but it did not express the policy and will of the country, and it imposed greater burdens than they were willing to take on themselves in regard to existing International Law and the comity of nations. International Law was somewhat elastic, and there was nothing in it which compelled them to deprive the commanders of their vessels of all discretion. The only penalty of refusing to surrender a slave would be compensation, and that penalty the country would be prepared to pay. A very sensible letter had appeared in *The Times* on the 28th of January—written by a captain who had served 10 years on the East Coast of Africa—as to the effect the Circular was likely to have on the officers of the Navy. The writer referred to a case which had occurred to himself, in which he was justified in exercising a discretion under the circumstances and giving refuge to a slave. He said he felt he had not a justification which would entitle him to refuse every compensation and he paid it, amounting to $60, out of his own pocket. He knew many would think him very wrong; but he was only too glad to get out of the scrape so cheaply. He added that cases of this description were not of frequent occurrence. The instance mentioned was the only one which had come under his notice during a service of 10 years in Africa and five in Brazil; but he thought the effect of the Circular would prevent captains from using their discretion. With reference to that letter, what he desired was, that there should be no tieing of the hands of commanders of vessels so that they could not exercise discretion in the name and for the sake of humanity; and that if they did exercise it, the cost to which they were put in exercising that discretion should be repaid to them. The Amendment of the hon. Member for Tamworth was a curious one. Surely, if the Government and their supporters had the courage of their opinions, they would have negatived the Resolution of the hon. Member for Bedford; but they had not ventured to negative it, although they maintained that their Circular did all they could do for the slave under the hampering and fettering conditions of previous legislation. But what did the Amendment say? "That in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission" before withdrawing the Circular, which did nothing for personal liberty and forbad anything to be done. But the House must look not only to the Amendment, but to the terms of the Commission and to the Speech from the Throne, in order to see what the object of the Commission was. According to Her Majesty's gracious Speech, it was—

> "to ascertain whether any steps ought to be taken to secure for my ships and their Commanders abroad greater power for the maintenance of the right of personal liberty."

But if such was the object of the Commission, did not the House perceive that that meant negotiations and Treaties with innumerable small slave-holding States? And, if there was any logic in the Amendment, the Circular must be maintained not only until the Report of the Commission, but until those negotiations and Treaties were concluded and greater power was obtained. Now, the House and the Government knew that the second Circular could not be maintained indefinitely. They knew perfectly well that the withdrawal of the second Circular was only a question of occasion and of time. The Government might not choose to withdraw it until they had come to issue upon the Motion of his hon. Friend (Mr. Whitbread); that was a question for their own decision. What they had to do on that side of the House was to justify themselves before the House and the country, in supporting his hon. Friend, and in dividing with him on his Motion. There was one conclusive reason, whatever the issue might be, why they were bound to take the division to-night. He had not attempted to make any marked distinction between the action of successive Governments in this matter. He had admitted that in the decision of Lord Clarendon the present Government had found a precedent which they were entitled to use. But there was a respect in which no possible parallel could be made between that precedent and the action of the present Government. The precedent of Lord Clarendon was the personal decision of a Foreign Secretary who was divided against himself; but the second Circular was the deliberate production of a Cabinet, put before the country on the withdrawal of the previous Circular as their ultimate view of the obligations of this country with respect to the reception of fugitive slaves. But that was not all. The second Circular was the answer of the Cabinet to the almost unanimous and indignant demand of the British public for the withdrawal of their earlier Circular; and, that being the answer of the Cabinet to the demand of the British public, that public was bound to say whether it accepted that answer or not. But the House knew that the second Circular, in public opinion, was condemned as well as the first. If the House did not challenge that Circular, they would accept it and would be bound by it, as if it were the bond of all the slave-holding countries in the world for all time to come. That was an obligation which that side of the House could not accept for the purpose of avoiding the unpleasantness of a Party discussion. He did not know what the issue of that night's division would be, but he did know two things; first of all, that this Circular was already condemned by the country, and secondly, that, sooner or later, it would be withdrawn.

MR. GIBSON said, if ever there had been any doubt whether this was a Party discussion it was impossible, considering the words of the Motion and the time at which it had been introduced, to have any longer a doubt on the subject. Scarcely was it announced that a Royal Commission would be appointed, than the occasion was seized for the manufacturing of the Notice of Motion, and the interval which had elapsed since Notice was given had been devoted to a very extensive correspondence to secure a large attendance for a discussion which surely was not described in that correspondence as a non-Party discussion.

The topics involved in the issues before the House were grave, important, complicated, difficult to be discussed and decided in a large Assembly like the House of Commons, and much more likely to be prudently, wisely, and cautiously considered by a Commission nominated by the Crown. It was not a little worthy of notice that during this long discussion not a single statement had been made that anything contained in the second Circular was opposed to our law. In the matter under discussion there were some things clear and some things obscure. It could not be denied that a ship in the territorial waters of another State had an extra-territorial character for certain purposes; but in none of the remarks of hon. and learned Members opposite had he heard the unqualified statement that for all purposes it had an extra-territorial character. The hon. and learned Member for Taunton (Sir Henry James) had only stated that, as regarded the ship, her crew, and discipline, a public ship did possess extra-territoriality. It should be remembered that the wide privileges which a national ship possessed in the territorial waters of another State were conferred by the comity, which was another word for the courtesy, of nations, though the hon. and learned Member for Taunton appeared to speak as if they were different things. All those privileges were based on a presumed consent. That presumed consent implied two parties; and if one conferred those privileges, it was on condition that the municipal law of the country would not be violated by the other. Chief Justice Marshall, of the United States, put the proposition most widely for the ship, when he said the Sovereign of the port must be considered to have conceded a privilege to the extent to which it was asked; that was the way in which it was put in all recent discussions, and that was putting the case for the ship as widely and as broadly as on the whole could be suggested. He accepted the proposition; and, presuming that outside territorial waters the captain said—"I desire to enter your port, and I ask for the privilege of preserving the ex-territoriality of my ship and the privilege and right of carrying off fugitive slaves which may come on board my ship," could there be any doubt what the answer of the Sovereign of the port would be? We could not, in considering the matter, discard the dictates of common sense. The ship was not invited; it was a matter of indifference to the Sovereign of the port whether it entered or not; it went there voluntarily, it might be for supplies—and surely it was a strong proposition, and an entirely unreasonable one, unsupported by law, that that vessel was not bound to respect the municipal law of the port. The answer to the objection of the hon. Member for Bedford (Mr. Whitbread), that the second Circular did not refer to any class except that of slaves, was furnished by the heading, "Fugitive Slave Circular." That meant it did not purport to deal with political refugees, who were dealt with by other Circulars; but it was presupposed to be addressed specially to those who would have to consult it in countries where slavery was a domestic institution. The second Circular dealt fairly, moderately, and with a caution which was absolutely necessary with an intricate and difficult question; but it preserved absolutely our own jurisdiction; it repudiated absolutely the right of surrender. It did not unduly run in the face of the domestic institution of any country, and it had been argued that that was practically the same as surrender; but it was nothing of the kind. The Circular did not deal with cases of extradition; it preserved to the captain the power of deciding as to the retention of a slave with the courteous regard to the obligation cast upon him by the hospitality he received. If the hon. Member for Bedford wanted a Circular that would please slave-owners more, he would find in the Sailing Orders of 1871 an order after the slave-owner's own heart. The withdrawn Circular required, before anything at all was gone into, that there should be a demand by a slave-owner; but even that was not to be found in the Sailing Orders of 1871, which, whether there was a demand or not, placed captains not only under an obligation to restore slaves to slavery, but to find out the owner of each slave and restore him to his owner. The right hon. Gentleman who had just addressed the House spoke ungenerously of that eminent statesman the late Lord Clarendon, and said those Orders were the mere personal decisions of a Foreign Secretary divided against himself. Whatever might be the issue of this discussion, there could be little doubt as to on which side of the House generosity and manliness lay. On the first night of the Session the right hon. Gentleman at the head of the Government manfully, frankly, and boldly avowed his responsibility for the Circulars issued under his Government. There was no questioning or denying. Let the House contrast that with what it heard from the front bench opposite. The Act of Parliament of 1873, passed when the late Government was in power, was not three years old, and yet they could not find out its author. It was a kind of foundling Act of Parliament. They had been unable to discover the source of the Sailing Orders. Lord Clarendon was a statesman of experience, and a distinguished Liberal Leader and statesman. He was dead; but the suggestion was that the matter rested on his mere personal decision, and that he was divided against himself. But was that so? The Note of June, 1856, was specially founded upon the Aberdeen Act, was justified under the special circumstances of the case, and harmonized with subsequent Acts. As to Lord Palmerston, it was said that he acted on his own responsibility. Well, he acted on his own responsibility for many years in a prominent and powerful position. But he was no more, and he was passed by as a person who was not entitled to any special weight upon this matter. It had been said that the second Circular should be withdrawn; but what was the proposed substitute? Instead of something clear and definite, they found in the Resolution a careful abstention from suggesting any single plain proposition as to the *status* of a fugitive slave when he got on board a man-of-war. It was not stated either by implication or at all that the fugitive slave when he went on board a man-of-war acquired the *status* of a free man. On the contrary, the words, prepared with consideration and consultation, were very cautious, and simply said that the slave must be treated as if he were free. Was there anything in the second Circular inconsistent with that? As to the fugitive not being asked to leave the ship on the ground that he was a slave, he might be required to do so on any other ground for all that appeared in the Resolution. The hon. and learned Member for Taunton had not gone beyond the Resolution; he shrank from stating that the fugitive slave acquired the *status* of freedom in territorial waters. From beginning to end there was no suggestion that went to the extent of asserting the *status* of the fugitive; but the cautious terms of the Resolution minimized the undefined and uncertain rights of our men-of-war. The words, "admitted to the protection of the British flag," according to the speech of the hon. and learned Member for Taunton and the letters of "Historicus," meant admitted on board a British ship with the sanction of the captain; and if that sanction were wanting, the slave could not be regarded as admitted to the protection of the British flag. That entirely gave up the principle contended for that the slave who planted his foot on a British ship acquired the *status* of a free man. That was a broad proposition contended for out-of-doors, but not accepted by the other side, or supported by the authority of "Historicus." The case of the stowaway slave who had stood upon the deck of a British man-of-war, under the English flag, but who had been surrendered back into slavery, was one in point, and it was a mere quibble, for principle there was none, to say that there was any distinction between a stowaway slave and a fugitive slave, because the former had come on board surreptitiously, and without the consent of the commander of the vessel. Once it was admitted that persons with the admitted *status* of slaves could stand on the deck of a British man-of-war without losing that *status*, and without becoming free, then the arguments that had been used by hon. Members opposite resolved themselves into mere sentiment. In some foreign stations slaves were employed in coaling our ships of war, and he wished that hon. Members opposite would tell him what was the *status* of the 100 or 200 slaves after they had been so employed; was the commander of the British man-of-war to carry them away to freedom, or to surrender them back to slavery? Turning to the Act of 1873, he asked whether there was any magic in the word "fugitive," as applied to slaves, that gave a fugitive slave a different *status* from all other slaves, because under that Act slaves seized on board ships, under certain conditions, were to be restored to slavery, notwithstanding they had set foot on board our men-of-war. What distinction could it make that the slaves were seized in the course of an Act for the suppression of the slave trade? The point remained that a slave could admittedly stand on the deck of a British man-of-war without, according to British law, losing his *status* of a slave. As to the right of the commanding officers of our men-of-war to receive slaves on board of their ships, he said nothing, because the point was concluded by the admirable quotation from "Historicus" which had been cited by the Secretary of State for War, in which that eminent and distinguished writer suggested that the proper course for the commander of a ship of war to take was to give directions to the officers of the watch and to the sentries on duty that under no circumstances were they to allow a slave to set foot on board his vessel. The result of the rule laid down by that learned writer was, that either absolutely no discretion was left to our naval officers in the matter, or else that they were so bound down and fettered by rules that they could scarcely take any independent action with regard to the reception or the non-reception of fugitive slaves. But what bearing had our Treaties on this question? He would take the case of Madagascar, mentioned in the Papers. By Treaties affecting the Slave Trade of Madagascar all the slaves imported after 1865 were to be made free. Supposing, however, that Madagascar should claim to be freed from the obligation, on the ground that our vessels of war had carried off as free persons who had been imported as slaves before that date, and should therefore refuse to set free those who had been imported in subsequent years, should we not be obliged to admit the justice of their reasoning; and would it be prudent to imperil the success of a Treaty under which thousands of slaves would be set free, in order that we might carry off in a half-smuggling, unsatisfactory way, without making compensation to their owners, some two or three slaves who succeeded in getting on board our men-of-war? The question of Treaties was one which was to be considered with the closest possible attention. The course adopted by the Government on this most important and difficult occasion, of issuing a Commission of exceptional strength, was most desirable. He ventured to think that the debates which had occurred, and that the contradictory opinions which had been expressed even by eminent lawyers, showed the desirability of settling the question by the issue of a Royal Commission. He should support the Amendment, and he ventured to hope and believe that the labours of the Commission would result in the acquisition of information which would largely tend to the development of the principle of personal freedom.

SIR WILLIAM HARCOURT observed, that at this late stage of the discussion they should endeavour to clear it from the extraneous matters which had grown up in the course of the debate, and which only tended to obscure the real point at issue. He would, therefore, ask the House to be patient with him for a short time while he endeavoured to get rid of the husk in order to arrive at the kernel. In doing so he refused altogether to discuss the *tu quoque* argument which had formed the staple of the speeches from the other side. It was at its best a very bad political argument, and was quite out of place when they were discussing a national question. A great deal had been said about the difference between domestic slavery and the slave trade, and he admitted that while we had made great efforts to put down the latter, we had not undertaken a crusade against domestic slavery. The question was how we were to deal with the question of the position of a slave on board an English ship-of-war. That had nothing whatever to do with the question of the slave trade as affected by our Treaties, and the rights we had in foreign territories. There had been a great deal of mystification about the Treaties. No doubt those Treaties authorized exceptional acts. If you got leave from a man to go into his house to do a particular act, of course you were not at liberty to do any other act than that which he had authorized you to do. But what had that to do with the rights you had in your own house or on board your own ship, which was a totally different thing, and that was the thing they were discussing that night. If they went under slave trade Treaties and took steps which were not authorized, they would be rendering themselves guilty of unlawful acts. A good deal had been made of the Act of 1873. That was the *cheval de* *bataille* of the hon. Member for Tamworth, and so complete was his oblivion on the subject that when the hon. and learned Member for Taunton (Sir Henry James) asked him if that was such a dreadful Act why he did not do something to prevent its passing or to amend it, he said, with all the confidence of youth—"I was not in Parliament at that time." He (Sir William Harcourt) should have thought that one of the first things which the hon. Member for Tamworth would have remembered would have been that he had a seat in the last Parliament, and if he sat in the last Parliament he must have been present when the Act of 1873 was passed.

MR. HANBURY said, that a minute after he said he was not in Parliament at the time he recollected that he was in Parliament, and he immediately went across the floor of the House, and communicated the correction to the hon. and learned Member for Taunton while he was speaking, in order that he might put it before the House.

SIR WILLIAM HARCOURT said, he did not intend to cast any reproach upon the hon. Member for Tamworth. The Act of 1873 had altered nothing in the state of our legislation with reference to the slave trade or the question of slavery. It was a pure Consolidation Act prepared by Mr. Rothery, who had charge of the Slave Trade Department. The notion that it had altered the state of things was a complete delusion. All the arguments therefore which were founded upon that notion were false trails which had been drawn across the scent. He would, however, come to the real question before the House. The whole subject might be divided into two questions—were we bound by international obligations to surrender a slave taken on board in the territorial waters of another State or were we not? That was a question of law; and, secondly, if we were not so bound, should we do so? That was a question of policy. He would apply himself to the first point—Were they bound as a matter of international obligation to surrender a slave in that situation? He said, without hesitation and without limitation—They were not bound to do so. He would refer to the first Circular, not for any purpose of recrimination, but simply to examine the question of law, because it was important to see why the first Circular was withdrawn, and what was the bad law which induced its withdrawal. He did not wish to add to the difficulties and embarrassments of his hon. and learned Friend the Attorney General. They were sufficiently considerable. But the hon. and learned Gentleman (Mr. Gibson) opposite took upon himself to lecture Gentlemen on the other side of the House as to manliness and generosity in the way they treated their own Party. He thought that the hon. and learned Member might have taken into consideration the manner in which the Law Officers of the Crown were treated by the Government before he delivered his lecture on the subject. The first Circular was founded on a supposed obligation on the part of a ship to submit to the local law of the port. Well, if that was so, all he could say was that they reduced the Queen's ships to the condition of a merchant vessel, because that was the situation of a merchant vessel; but if that doctrine was true, then he very much agreed with the Attorney General that the first Circular was just as good as the second. If you said there was this distinction between a public vessel and a merchant vessel, that in the case of a merchant vessel the authorities of the port carried out the police regulations themselves on board the ship, but in the case of a public vessel the ship's officers were to execute the local law, that was not immunity at all, and he would much prefer that their own police should come and do their own dirty work in a Queen's ship. That was not what he meant by the immunity of a public ship. The right hon. Gentleman the Secretary for War challenged him to say what he meant by extra-territoriality. The hon. and learned Gentleman who had just sat down seemed to intimate that the hon. and learned Member for Taunton and himself (Sir William Harcourt) would shrink from defining extra-territoriality. But he did not shrink, and he would give the right hon. Gentleman a definition of it in words which would deserve more attention than any he (Sir William Harcourt) could utter. M. Ortolan, a distinguished captain in the French Marine, and a great international jurist, speaking of extra-territoriality, said, and he (Sir William Harcourt) adopted his words—

> "This phrase signifies nothing else except that you must conduct yourself everywhere in respect of facts which occur and of persons who are found on board a ship-of-war as if those facts had occurred or those persons were found in the territory of the nation to which the ship belongs. This phrase announces a principle in a manner which makes it intelligible to all—to ordinary persons as well as to scientific lawyers, to the common sailor as well as to the officer. It teaches those who belong to the ship the sentiment of their native soil. It identifies the one with the other. If this phrase were not in use; if it had not become common in all nations, it would have been necessary to invent it."

That was what he meant by the exterritoriality of a ship, and he did think it most dangerous and most deplorable that the authorities, either law or political, in a Government which rested more than anything else upon its naval arm, should be occupied from the beginning of the question in casting doubts upon the immunity of their ships. If anybody would read the speech of the Attorney General, of the Secretary of State for War, or of the hon. and learned Gentleman who had just sat down, they would see that they had exerted all their ingenuity and influence to cut down the principle upon which more than anything else depended the integrity and strength of the Navy. He ventured to say that the right hon. and gallant Member for Stamford (Sir John Hay) had in his speech conveyed, though in different language, exactly the sentiments of his gallant colleague in the French Navy. There was a danger in the question, a mischief in both Circulars which was a question of national importance greater even than the importance of the slavery question itself. The Attorney General, who had referred to a work in which the use of metaphors was condemned, seemed to have studied that work with very little profit, for when he spoke of the extra-territoriality of merchant vessels he used a metaphor which was inapplicable and untrue. Merchant vessels were not extra-territorial within the waters of foreign States, but ships of war were. On the high seas, in war and in peace, such a ship was extra-territorial; in the harbours of foreign States, at all times, in all conditions, and to every extent, she was exterritorial; and when England shook that doctrine she shook the doctrine on which navies depended, and which no other maritime State in the world would surrender. He asserted that doctrine with some confidence, because it was mainly in consequence of its having been violated in the first Circular that the Circular was withdrawn. It said that the public ship on the high seas was a part of Her Majesty's dominions, but it implied that when she went into a foreign port she ceased to be a part of those dominions. When a jurist of the eminence of Lord Cairns came to consider that proposition, he found it was untenable, and the first Circular was withdrawn. But it was urged that, though that immunity existed, comity required them to regard the local law. There had been a great deal of doubt expressed by persons who had not made it their study as to what was meant by comity. The comity of nations was a very useful phrase, conveying a very intelligible idea. It had to do with a subject no doubt complicated in its application, which was called "the conflict of laws." The nature of that principle was a very simple one. It assumed the native domestic jurisdiction as being supreme; but it was found that in the communications which must be held between different States questions of foreign law would arise, and that in their internal and domestic jurisdiction it might be necessary and convenient to give operation to foreign law; and so they did in reference to contracts, status, and all manner of subjects. But then there lay at the bottom of it this fundamental principle—the question as to how far that foreign law should be applied, what kind of foreign law, in what manner, and to what extent it should be applied. And that was the basis of the application of the principle of comity. Now, being the judges how far that foreign law was to be applied, they might say there were certain classes of cases where, within our own jurisdiction, we would not apply foreign law. What were those cases? That greatest master on the subject of comity and the conflict of laws, Story, said—

> "There are well established exceptions to the application of foreign law within your own jurisdiction, and what are these exceptions? All contracts and other similar things which in their own nature are founded on moral turpitude, and are inconsistent with the good order and sacred interests of society. All such contracts, though they might be held valid in the country where they are made, would be held void elsewhere, and ought to be, if the dictates of Christian morality, or even of natural justice, are allowed to

have due force and influence in the administration of international jurisprudence."

The next class of exceptions mentioned by Story were those contracts which were opposed to national policies and institutions; and such contracts were to be held void, whatever might be their validity in the country where they were made, because they were inconsistent with the policies and institutions of other countries where they were sought to be enforced; and Story mentioned slavery as an example of that principle. What followed from that? If the first proposition was clear, that a ship of war was ex-territorial, and therefore within their jurisdiction, then the comity of nations did not call on them to enforce on board such a ship any foreign law which violated the principles to which he had referred, and therefore not to enforce the law of slavery. That he believed to be the answer to the question raised with respect to the comity of nations. Then it was said—"Are you to go and force yourselves upon foreign States and offend and outrage them as you like?" Certainly not. Foreign States had a right to prescribe the conditions upon which they admitted to their ports. That he fully admitted. He admitted, also, that they ought to deal with weak States on the same principle as they dealt with strong. It was the great and sacred principle of the Law of Nations to assert that doctrine, and it was for the assertion and maintenance of that doctrine that the Law of Nations existed—that it should declare the equality of rights between the dwarfs and the giants of nations. But there was a correlative to that proposal—namely, that they had a right to declare the conditions which they would or would not accept. He would give an instance. In old days the British Ambassador would not be received by the Emperor of China unless he made the "kotow;" but our Ambassador (Lord Macartney) refused to go through that ceremony, and the Emperor of China admitted him all the same. He thought Lord Macartney took the proper line. There was a condition in old times that no trader should enter Japan unless he trampled on the Cross. The Dutch, he believed, entered on those terms, but others declined to enter on those terms, and people now traded with Japan without first trampling on the Cross. We could refuse, and we could prescribe the terms on which alone we would consent to enter the ports of foreign States. We had done so. The other day he met with a very remarkable document. It was a Treaty 200 years old, which dealt with this very question of the principles for which he was now contending. In those days the Barbary States—among others, Tunis, Tripoli, and Algiers—were powerful in the Mediterranean, and we had to deal with them as equals. In 1686 we made a Treaty with them in which it was declared that, when any of His Majesty's ships of war appeared before Tripoli, notice should be given by our Consul or the commander of the ship to the Chief Governor of Tripoli, when proclamation should be made to secure Christian captives; and, after that, if any Christians whatsoever made their escape on board any of the ships of war of His Majesty, they should not be required back again, nor should the said Consul or commander, or any other of His Majesty's subjects, be obliged to pay anything for the said Christians. That Treaty was made by a Monarch whom we did not regard in all respects as an admirable Sovereign; but the last Prince of the House of Stuart who sat on the British Throne, whatever faults he might have had, was a distinguished British Admiral. He knew what belonged to the English flag, and he made it a condition that when a slave escaped on board one of his ships he should not be restored. That Treaty was frequently repeated in the course of the subsequent century, and it was founded upon this principle:—"We do not come to your ports to invite away your slaves, to surprise you, or to take you at a disadvantage. We give you notice to take care of your slaves if you can; but we will not act as your police, and if these slaves get on board our ships we will not give them back." That was the principle upon which the Treaty was founded. We went on in the same way during the last century making Treaties of that kind. The Treaty of Tunis in 1751 laid down that if any slave of Tunis got on board an English man-of-war he should be free, and that neither the English Consul nor any person of his nation should be questioned on the subject. Those were Treaties, but precisely the same thing might be done by a Resolution such as was now before them. We might, in effect, say to foreign States—"We don't you intend to take you by surprise. Take care of your slaves, but understand that if they get on board our ships they shall be free." Upon this point his attention had been called by the Secretary of State for War to a letter, and the right hon. Gentleman did injustice to his great knowledge of the legal profession. He said he had derived his ideas of International Law from a letter which he had read in *The Times* newspaper. It so happened that he also (Sir William Harcourt) had his attention called to that letter. His attention was called to that letter by this remarkable circumstance—that the letter appeared in *The Times* newspaper, he believed, 24 hours before the Cabinet condemned the law of their own Law Officers. That was the circumstance which attracted his attention; and though he did not himself entertain quite so high an opinion of the writings of that author as the right hon. Gentleman expressed, he felt sure that if his observations had met the ear of the writer he would have been gratified. The right hon. Gentleman even went so far as to promise him a reversion of the office of Law Officer of the Crown. Fortunately that office was not vacant, or the right hon. Gentleman might have exposed himself to the operation of the Corrupt Practices Act. He (Sir William Harcourt) did not take his views of International Law from letters he read in *The Times* newspaper. He went to more ancient and original authorities; but after the remarkable panegyric which the right hon. Gentleman pronounced on the last night, he had looked at that letter again, and he confessed he had read it in a wholly different sense from that which the right hon. Gentleman had placed on it. The doctrine he found in that letter was entirely in accordance with the Resolution of his hon. Friend the Member for Bedford. It asserted that no man who came on board a ship of war should be restored. It asserted that there was no occasion whatever for having issued any Circular at all, because the captains of our men-of-war could be perfectly trusted to exercise their own discretion, and it ended by saying that some definite declaration must now be made to put an end to the mischief of the first Circular, which was withdrawn 24 hours after that letter appeared. What did it say about the new Circular which ought to be issued? It said that must be founded on principles exactly opposed to the first. The prayer of the writer of that letter was like the prayer addressed to Jove. The first portion of it was answered, the second was whistled down the wind; for although the first Circular was withdrawn, the second, although professedly founded on an opposite principle, did precisely the same thing. The Secretary of State for War quoted another author of a higher and different stamp from the writer in *The Times*, but he was sorry to hear that author quoted on this question. In his eloquent peroration the right hon. Gentleman quoted from Lord Stowell. Now Lord Stowell was a great lawyer, but a very bad politician. He was not a friend of freedom, and all his sympathies were on the side of slavery. No man could read his judgment in the case of the slave Grace, where he sneered at Lord Mansfield for his judgment in Somerson's case, without feeling that if Lord Stowell had been the judge a slave would still be a slave in England; and although that passage, elegant in its language, was a very proper argument in a speech in support of the second Circular, he was very sorry to hear it from the mouth of an English Secretary of State. Now, with regard to the second Circular, he would ask what did it mean? It had been said by a speaker on the other side that his hon. and learned Friend the Member for Taunton (Sir Henry James) had said the second Circular was good in law. The difficulty, he insisted, was to know what exactly it meant to say. Did it mean or did it not mean to assert that there was an obligation to surrender the slave? for if it did mean to assert that, he was sure his hon. and learned Friend would agree with him that the second Circular was as bad in law as the first. But the great difficulty was that it was drawn up with such dexterity, and with such an obvious intention rather to evade than to settle the difficulty, that it was almost impossible to say what it did or did not mean to assert. He (Sir William Harcourt) said it did not mean to assert that there was any obligation to surrender the slave. His hon. Friend the Member for Durham (Mr. Pease) said that in certain cases they could refuse to surrender political refugees in violation of the municipal law. He was told lately by a distinguished Admiral that he had taken the whole of the Provisional Government of Palermo on board his ship, and that if the Government of Naples had asked for their surrender he should have known what to say to such a demand. The second Circular told the officer that he was to entertain no demand for surrender and enter into no investigation; but how was he to know the local law unless he had a demand? Then there must be some one to tell him that he had violated the local law, and he must enter into some investigation to satisfy himself whether he had done so or not. Yet the Circular said there was to be no demand and no investigation. If the second Circular did not say there was an obligation to surrender the man, then he contended the case was a thousand times worse as regarded that Circular. The first was more intelligible, for it went on the assumption that there was an obligation. That was bad law; but if the second Circular said there was no obligation then the Government had voluntarily and wantonly assumed the duty of giving up slaves, and that was, in his opinion, the vice of the second Circular. Therefore, the more they asserted that the law of the second Circular was good the more they condemned themselves, for they had voluntarily imposed upon our captains an odious duty which the Law of Nations did not demand. If the Government did not agree with him in this view, why did they not stand by their Circular? Why did they not take the opinion of the House upon it? After the eloquent speech of the Secretary of State for War, what was the logical conclusion? He said this Circular was right in law, consonant with justice, and good in policy. Why, then, did they not ask the House to negative the Motion of the hon. Member for Bedford? He would tell them why they did not do so. It was because, although they had a powerful, a loyal, and a devoted majority, they knew they could not trust it on such an issue. It was because they knew that behind that majority there was a much stronger force, and that was the constituencies. Why did they not say—"Here is a Circular drawn up by the Lord Chancellor, good in law and good in policy; we ask the House and the country to approve of it?" He thought, when listening to the right hon. Gentleman the Secretary of State for War, that he was going to nail the colours of the second Circular to the Conservative masts; but he took it there were more sagacious Statesmen who would not allow that course to be taken, and he doubted very much whether they should have at the close of that debate the language of "No Surrender" with reference to that second Circular. But instead of taking a clear issue on this matter the Government had appointed a Commission. What was it appointed for? Was it to revise our laws or to reform our policy? They had placed on it a distinguished Duke, a Chief Justice, and half-a-dozen lawyers. He thought the very composition of that Commission showed that they did not rightly comprehend the character of this question. It was no lawyer's question. It was not going to be settled by law, but by the voice of the English nation. He agreed with the hon. Member for Durham that this Commission was worse than useless, and thought it would be extremely mischievous. What would be the consequence of it? They would take up from every quarter every available suggestion, every technical difficulty, and the effect would be that they would obstruct the course they would ultimately be compelled to take, and the public Report of the Commission would be the greatest stumbling-block in their path and in the path of their Successors. Depend on it the House of Commons would before long sweep away all the cobwebs spun on this question. The experience of former Commissions was not fortunate. Two of the eminent persons now appointed had acted on Commissions—one the Merchant Shipping Commission, and the other the Labour Commission. What did they do when those Commissioners sent in their Report? They threw them overboard. Reference had been made to Commissions on which he (Sir William Harcourt) had acted; but those Commissions were to inquire into matters to be the foundation of future legislation. The Report of the present Commission could never be the foundation of future legislation. This was a question of high Executive policy, and with that no Commission could have any possible concern. He looked at the Amendment with regret, for instead of taking a distinct issue, and saying—"We are wrong, and you are right," which they might have done, they put in a dilatory plea, and asked the House to wait until they had time to consider the laws of foreign States. The sentiment of that paragraph was ignoble, and he hoped that whatever they did they would spare the House of Commons the humiliation of declaring that on the question of slavery they must wait ,until they knew the attitude of other Powers. He ventured to say that that sentence would be taken by the English people as an insult to the national pride. He thought that hon. and right hon. Gentlemen opposite were the Party of a spirited nation; but he asked if it was part of their spirited foreign policy that they should look calmly on until they had ascertained what was the view taken by other countries with regard to our national ships? What did the Amendment declare? The first thing it declared, as it appeared to him, was the incapacity of Her Majesty's Ministers to deal with great national subjects. They did not want a Royal Commission in July. They thought they could settle the question themselves, and with the help of their Law Officers they issued the first Circular. The country pronounced against it. They suspended it in October, and cancelled it in November. They did not want a Royal Commission then, and they thought themselves capable, with a great lawyer as Lord Chancellor, of settling the question, and so the second Circular was issued. It was not until they were about to meet Parliament, and that they feared an Amendment would be moved on the Address, that the necessity of having a Royal Commission occurred to them. After these incredible failures, extending over eight months, what had they done? They had determined that Her Majesty's Government must go elsewhere—to other persons to settle the question which they had failed to settle for themselves, and that was the conduct of what was called a great and capable Administration. He did not complain of the judgment which they passed on themselves. They and the majority behind them had a right to judge of the capacity of the Government, and if they chose to solicit a Vote of Want of Confidence in themselves, they had a right to do so; but the Amendment did more, inasmuch as it offered a Vote of Want of Confidence in the House of Commons. That was a far more serious matter, and he should like to know when, in the course of this century, the House of Commons had felt itself to be incapable of dealing with the question of slavery? They and their ancestors before them had dealt with it over and over again, and yet the Amendment sought to declare that they were wanting in knowledge, prudence, and courage, and must resign to a Royal Commission a duty which they ought themselves to perform. If that were so, they were, he could not help thinking, very unworthy descendants of those whom they had succeeded. They might, however, that evening pronounce against the capacity of the Government or against the competence of the House of Commons. But there was one thing he ventured to say they could not do, and that was to deprive the minority who sat on the opposite side of the House of the privilege of exercising their rights and declaring their principles. If the Government did not know their own minds on the question, the Opposition knew theirs; if the Government had no policy, the Opposition had; and their principles were contained in the Resolution of his hon. Friend the Member for Bedford. His hon. Friend bore an honoured name, and he would pay him no higher tribute of praise than to say that he was worthy of that name. He had placed on the Journals of the House a Resolution which, whatever might be its fate that evening, would live. It might be defeated by a dilatory Amendment; but that Amendment could not destroy it. It would still remain, and would in the end prevail, because it expressed the determined resolve and the enlightened judgment of the English nation.

THE SOLICITOR GENERAL FOR IRELAND (Mr. PLUNKET) said, that if it were for the advantage of the slave and the amelioration of his hateful condition that the question before the House should be decided in this great country amid agitation and excitement, and without due deliberation, the speech of his hon. and learned Friend who had just sat down and the line of debate from beginning to end was admirably conducive to that result. A Circular had been issued by the Government, which had afterwards been frankly and readily withdrawn. That Circular had been succeeded by another, which it was admitted contained concessions which exceeded in the favour of the slave any similar State Paper which had been issued by previous Governments. But Her Majesty's Ministers had not stopped there. They believed they had given instructions which were in consonance with the municipal law of England and with the International Law of the world. The Circular did not violate any Treaty obligations; but in order that the noble and generous feeling which had been evoked in this country should have full play, and that it might be seen whether any improvement in the condition of those who were now slaves could be effected, they further proposed the appointment of a Royal Commission to inquire into the subject. The duties of that Commission had, he might add, been intrusted to men than whom better could not be selected—among them a noble Duke, who was honoured and respected for his independence; and a Chief Justice, of whom he would only say that he had before now on a great occasion had the honour of England as well as the interpretation of International Law committed to his charge, and he had proved himself worthy of the confidence which had been reposed in him by the country. The other Members of the Commission were also men of eminence, and when the Government proposed that they should investigate the whole question, they were taunted by persons who themselves had belonged to an Administration which issued Circulars similar to those of which complaint was now made. But the true state of the case was that a mistake had been committed in issuing the first Circular, and that a wonderful opportunity of making political capital had thus been afforded to frozen-out politicians. At a period when the Party opposite were in hopeless and apparently endless exile, there came an angel to them one morning in the shape of this first Slave Circular. He need not describe with what promptitude, skill, and eloquence the occasion was instantly seized. His hon. and learned Friend the late Attorney General (Sir Henry James)—than whom there was no more alert, astute, and, he might add, cautious politician—rushed down to his constituents, and having denounced that part of the first Circular which dealt with taking slaves on board Her Majesty's ships in territorial waters, said—"This is done by the Conservative Party." The substance of his hon. and learned Friend's accusation was that his Party had never dishonoured the country's love of liberty as this retrograde and top-boots Party had. Well, this retrograde Party took counsel together and withdrew the Circular which had given the opportunity to the Party opposite. That proceeding was rather disappointing to them, and when it was found that this business was to be taken altogether out of the arena of popular excitement by the nomination of a Royal Commission, by whom the subject could be calmly considered and studied, there was among the ranks of the Opposition considerable lamentation. Still they were equal to the occasion, for on the very day on which Her Majesty's Gracious Speech was delivered, a Motion skilfully, and he would add—if the expression were not un-Parliamentary—craftily drawn, was placed on the Notice Paper of this House. In principle it hardly differed in the smallest degree from the terms or challenged the law of the second Circular, but there was a wonderful display in its language. He felt the greatest diffidence in venturing to follow his hon. and learned Friend who had just sat down in his disquisition on extra-territoriality; but it was necessary that he should do so for a few moments in order to remove the impression which had been left upon the House that by the Circular now in existence and by the later policy of Her Majesty's Government grave doubts were thrown on the immunity of British ships in foreign waters. The greater part of his hon. and learned Friend's speech on the legal branch of the subject was devoted to a development of this question:—"Are you bound to surrender a slave?" though after the hon. and learned Gentleman had gone on for some time he admitted that there was nothing whatever about the surrender of a slave in the present Circular; and he then called attention to some terms of that Circular in which captains and commanders of Her Majesty's ships of war were directed not only not to surrender, but that they were not to entertain any demand for surrender. His hon. and learned Friend next asked whether we maintained the immunity of British ships of war. The fact was that that immunity was maintained in the most absolute manner. Let him now call attention to another expression which was very likely to mislead. His hon. and learned Friend said we must either violate the law of the place or we must enforce it, and he asked whether it could be said we should violate the law of the place if we took on board a drowning man. In no respect could that be a violation of the law of the place; but if we saved the man and then sailed away with him, that would be a very different thing, if by the law of the place he was regarded as the property of his master. For all the purposes of maintaining and enforcing the discipline of our ships and for all purposes connected with our country, such as the protection of Her Majesty's subjects, he contended that our ex-territoriality and our immunity from local law was clearly asserted and fully maintained by the second Circular. But it was a different thing when we came to those things which we were to do or to abstain from doing in regard to a foreign State, for the ex-territoriality was the consequence, and not the cause, of the immunity. The commander of a ship who took advantage of the ex-territoriality was bound in return to have consideration for the institutions of the country. There might be no process of the local law whereby this obligation on the part of a commander of a foreign ship of war could be enforced, yet by the Commerce of Nations he was bound conscientiously to observe it; for this was, if he might use the expression, the equity of International Law on the subject. He must repeat that there was nothing in this second Circular that called on a captain or commander of a British ship of war to enforce the local law of slavery. There was in it nothing of the kind. The commander was called upon not to violate the law of the place; but this was a totally different thing from actively enforcing it. His hon. and learned Friend announced that he had discovered the means of extricating the Government from their difficulties. He said that we had a right to make any conditions we pleased before going into a foreign port, and if they did not choose to admit us we were free. That was, of course, quite true; but how were we to give notice of these conditions according to his hon. and learned Friend? It was by passing a Resolution of the House of Commons and communicating it to foreign Governments. This was certainly a most astounding process. They had all heard of *quasi* instruments of different kinds; but a *quasi* treaty such as this, made by a mere Resolution of the House of Commons was a suggestion seldom before heard of. The proposal could hardly be seriously intended; it was a means of escaping from the rather difficult position in which his hon. and learned Friend found himself. But passing away from the law of the case and dealing with the subject generally, it was obvious that policy must be considered as well as the legal bearings of the case. He had heard with great pleasure, as every one must have heard, his hon. and learned Friend dilate so eloquently upon the course which England would wish to pursue on this subject. For his part, he should rejoice if any better plan could be found for dealing with slavery than that which for many years had been adopted by this country. When, however, his hon. and learned Friend taunted the Government with not having produced at once a brand-new scheme upon this subject, he should remember that the present Government had not been in power as frequently and as long as their predecessors. It would have been well, therefore, to concede a little time and forbearance. It should be borne in mind that the policy now adopted towards these semi-barbarous States was one of gradual amelioration. We endeavoured to make friends of these peoples, and by observing carefully all the obligations of international amity, to make our example and influence felt among them, that we might obtain Treaties and secure advantages for the slaves. With several countries we had succeeded in making Treaties whereby no slaves were to be introduced into the country after a certain period. This was what was meant when it was said that a slave country was on the road to freedom. But if these friendly relations were broken off, and an attitude of stern repudiation of slavery was adopted towards these countries, we might sacrifice great material advantages for the indulgence of what might then turn out to be little more than a selfish boast. How many slaves could be emancipated by such a policy? How many slaves in a year should we succeed in emancipating? A few, perhaps, on the coast; but what would become of those in the interior, where our ships could not reach? In vast tracts of country in Africa slavery luxuriated. It had long been the policy of England gradually to trench upon its domains, to beat it back inch by inch, and keep this distress and crime from the people; and while, on the one hand, he was proud to have witnessed the generous outburst of feeling on this subject, it was important that this feeling should not be allowed to run into excess, and should be wisely regulated. The days were gone by when it was necessary to raise a storm of indignation on the subject of slavery. All parties united absolutely as one upon this subject. Their object was to ameliorate as best they could the present position of the slave and ultimately to eradicate the crime altogether. But the means of doing so necessarily required the most careful consideration. He therefore submitted to the House that the appointment of the Commission, which was the real question upon which they would divide, was a wise step, not only because it was likely to produce trustworthy information, but because the results of its labours would be accepted with entire confidence by the country. He trusted that these results would afford the foundation of perhaps a more perfect scheme for dealing with the crime and the curse of slavery than any system which had up to the present time been arrived at.

THE MARQUESS OF HARTINGTON: I congratulate the hon. and learned Member who has just sat down upon the temper and moderation with which he terminated his speech; and in one of his concluding sentences I thought I heard an indication that perhaps, whatever may be the result of the divisions upon the Resolution, this debate has not been without effect—that the Motion of the hon. Member for Hackney (Mr. Fawcett) will be accepted, and that, at all events, the second Circular will be withdrawn until the termination of the labours of the Commission. In the somewhat passionate exordium of the hon. and learned Gentleman, however, he was somewhat bolder than any speakers who preceded him upon that side of the House. We have heard a good deal of recrimination. We have heard some unpleasant truths. We, on this side of the House, have been called hard names during the debate. As far as I can gather, the burden of the speeches made has been—"Whatever we have done, we are not worse than you." But it was reserved for the hon. and learned Gentleman to claim that the present Government has done more to benefit fugitive slaves than any Government which preceded it. If the fugitive slave was under preceding Governments suffering from harsh and oppressive enactments, as the hon. and learned Gentleman who has just spoken would lead us to suppose, I can only say that such preceding Governments have, somehow or other, been singularly unsuccessful in bringing that fact to the knowledge of their subordinate officers. I take up the Papers which have been presented to Parliament in reference to the subject, and I find it stated, in almost the first despatch, that on the 17th of July, 1871, Colonel Pelly sought instructions from the Government of Bombay for his guidance in such cases. In their reply, dated November 29, 1871, the Government of Bombay quoted the opinion of the Honourable the Advocate General, to the following effect:—

> "The commander of a British ship of war is not bound to receive fugitive slaves on board his vessel, yet if he does receive them they become free. And the Commanders of British men-of-war would not only be authorized in refusing to surrender a slave who had found refuge on board his vessel, but would incur very serious legal responsibilities if he in any way attempted to coerce that slave to return to his master."

I will not trouble the House by referring further to the Papers, but will simply remark that whenever you find the opinion of a subordinate officer given upon this question, there is one universal opinion throughout the Service that the slave who has been received on board, under the protection of the British flag, becomes free, and that the captain of the vessel is not bound to surrender him. How will the House reconcile that with the assertions which have been so freely made by the hon. and learned Gentleman who has last addressed it? I perfectly admit that decisions — perhaps more than one—upon isolated cases have been given which I, in common with others who have spoken on this side of the House, deeply regret; but I do not think it is possible to contend that the regulations of preceding Governments have been consistently in that direction;

or, if they had, I cannot conceive how it would have been possible for their subordinates to have entertained so universal and exactly contrary an opinion. The discussion to-night has, as was not unnatural, been confined, to a great extent, to Members of the legal profession, for it has turned mainly upon points of International Law. I do not myself intend to go into that question; but I shall state as briefly as I can what seems to me to be the real question upon which the House will have to decide. We are going to decide whether the Motion which has been submitted by my hon. Friend the Member for Bedford adequately expresses the sense of the House and the country upon the subject of the reception and retention of fugitive slaves; and whether, if that is so, the Resolution contains anything which is inconsistent with our international obligations. In the next place, we shall have to decide whether, if that be so, the Circular recently issued by the Government, or any previous instructions issued by any preceding Government, conflicts with principles so asserted by the House. And we shall have further to decide whether the recent Circular, even in parts where the doctrine it lays down is sound, does not invidiously and unnecessarily restrict the discretion of our officers in regard to the reception of fugitive slaves. The Motion of my hon. Friend was not aimed exclusively at the Circular of the Government, but it was aimed — and the terms of it are distinct—at instructions which have been issued also by preceding Governments. The speech in which the Motion was laid before the House was conceived in the same spirit. My hon. Friend said he deeply regretted that his Motion would affect not only the Circular of the present Government, but instructions which had been given by a Government to which he had given his support. He imputed no blame to the Government, but simply asked the House to assent to a certain declaration of policy which should become the guide of our naval commanders in all parts of the world in relation to our dealings with fugitive slaves. Is there anything, either in Treaties or in the obligations of International Law, which conflicts with the principle which my hon. Friend asked the House to assent to? If there is one thing which has been distinctly proved in the course of these debates, it is that there is no such conflicting Treaty. I ask, Is there any international obligation resting upon a general principle of law which militates against the principle of my hon. Friend's Motion? I believe there is no such obligation. Attempts have been made to lead us away from the question submitted to us to a much wider and very different issue. The question the House should remember is, not whether there exists the right on the part of the slave to make his way upon the deck of an English man-of-war and there claim his freedom, but, on the contrary, whether there exists on the part of the owner, or any one on his behalf, a right to make his way on board that vessel and there claim to have the slave restored to slavery. The right hon. Gentleman the Secretary for War contended the other night that to maintain that there was nothing in the Circular which was contrary to law was all he had to do. Well, there may be nothing contrary to law in it, that was admitted; but I maintain that that is not enough for the Government. What the Government have to do is to show that there is nothing in it in excess of what is required of us by our international obligations, and that it is that, as it appears to me, the Government have failed to do. Sir, the first Circular has been disowned by almost every Gentleman who has addressed the House. The First Lord of the Treasury said the other night that it has been condoned by the country. Whether it will be so completely condoned by the country after the speech of the Attorney General and the Secretary for War, we shall presently, perhaps, find out. But whether the first Circular is condoned or not, this observation occurs to me—that when we find any Member of the Government, or any hon. Gentleman on that side of the House defending the second Circular, we find them getting into a line of argument which would cover the first Circular itself. The Attorney General, defending his own work the other night, completely set up and defended the first Circular, and maintained that it was in accordance with the principle of International Law; and although the right hon. Gentleman the Secretary for War said he was not here to defend the first Circular it occurs to me that his argument also went far to defend that Circular. When the right hon. Gentleman in eloquent phrase appealed to the justice of England, which he said ought to be as great as her mercy, what did the right hon. Gentleman mean by justice except this—that when the slaveowner demanded the restoration of a slave who had been received on board of one of our men-of-war he made a just demand? [Mr. GATHORNE HARDY: What I said was "honour and truth."] Well, I was under the impression that the words of the right hon. Gentleman were that great as is the mercy of England her justice ought to be still greater—namely, that in justice she was bound to yield to the demand for the restoration of a slave to slavery. The right hon. Gentleman says he used the words "honour and truth," not "justice and mercy;" and if he considers that it would be consistent with honour and truth to deliver up a slave on the demand of his owner, I can make him a present of the distinction. But, Sir, the Government does not go the length of the whole principle of surrender. If justice, or rather honour and truth, demanded such surrender, why did the second Circular distinctly order the commanders of our ships not to entertain any demand for the surrender of slaves? International Law either requires that upon the demand of the owner the slave should be surrendered, or, as I understood the assertion, justice prefers that the slave should be surrendered; but the Circular distinctly instructs our naval officers not to surrender the slave, at the same time stating that they were not to allow the slave to remain on board—for what reason I feel myself at a loss to guess, if, indeed, justice did not require it. If you controvert the proposition of my hon. Friend the Member for Bedford, are you prepared to adopt the opposite opinion, and to say that, in the opinion of this House, when a slave is once admitted to the protection of the British flag he ought not to be treated as if he were free, but may be removed from or ordered to leave the ship on the ground of slavery? No, you are not prepared to consider him a slave on board one of Her Majesty's ships. You are halting between two opinions. You laid down in the first Circular what you were advised by your Law Officers was required of you by international obligations, and you found that the law as so stated was not acceptable to the people of this country. You have retracted to a certain extent the law so laid down in the first Circular, but you retain the policy of that Circular, and you order your commanders, if not to surrender the slaves, to do exactly the same thing; for they are not to be allowed to remain on board ship. It has been frequently said—and I have no hesitation in repeating it—that we have not sought to make this a Party question. I do not know what precautions we have omitted to remove this question from the arena of Party. The Resolution is not aimed at one Circular only or at any one set of instructions. We condemn all instructions, by whatever Government they may have been issued, which infringe the principles we ask the House to adopt. But when we are told by the hon. Member for Tamworth (Mr. Hanbury) that the present Government were hampered or fettered by the decision of its predecessors, and when we are told by the right hon. Gentleman (Mr. Hardy), in referring to the Act of 1873, that he regrets that he and his Friends did not do their duty in watching the passing of that Act, let me ask the right hon. Gentleman, who will follow me, whether when the Government were preparing the first Circular they were even aware of the precedent of 1871, or whether it has not been hunted up since the withdrawal of that Circular, in order to furnish the Government with an excuse? And let me also ask the right hon. Gentleman whether, when the Cabinet were deliberating on the second Circular, they found themselves much hampered by the Act of 1873? The right hon. Gentleman, who spoke the other night, need not reproach his conscience for his omission in allowing the passing of that Act, which is, I am informed, what it professed to be. It was simply a Consolidation Act, and the part to which he referred—merely the repealed clauses—had become utterly and absolutely obsolete. Therefore, if the right hon. Gentleman and his Colleagues found themselves hampered when they were preparing the second Circular by the provisions of the Act of 1873, let them take it in hand and alter it to what it ought to be. We have been told that the first Circular has been condoned. Now, I will ask whether—after all the recriminations and accusations which have been hurled at the late Government, and the frank admission of error that has been made from these benches—the despatch of Lord Clarendon in 1871 has not been condoned also. I will ask whether the country would desire, upon the authority of one or two isolated decisions, given in individual cases, and partly mixed up with considerations of an extraneous character to fix the stigma of pro-slavery tendencies upon the reputation of a Statesman like Lord Clarendon? I will ask whether the House and the country would bear more hardly upon the isolated decisions of Lord Clarendon, who never had the opportunity of explaining or defending them, than upon the deliberate action of a Cabinet warned by the almost unanimous voice of a whole people that they were treading upon dangerous ground? Much has been said about the secrecy of the instructions of the late Government. I deny that there was any secrecy. The fact is, that no instructions were ever issued by the late Government; all they did was through the Foreign Office, which gave its decisions on isolated cases upon the facts submitted to it. There is not the slightest excuse for saying that the Circular alluded to, which never was issued by the late Government, was a secret one. A despatch of Lord Clarendon was sent to the Commodore on the station, and he, on his own authority, translated it into what are called Station Orders; but there was no secrecy; on the contrary, the decisions of the Government, of which so much has been made, were laid on the Table of the House, and the House of Commons and the country, in my opinion, became, in a certain degree, a party to those decisions which had been found so much fault with. The Slave Trade Papers, presented in 1871, contained one of the very despatches of Lord Clarendon to which so much allusion has been made, and in which the passage occurs that commanders are not justified where slavery is legal in receiving fugitive slaves on board their vessels, or in carrying them away in opposition to the will of the local authorities. That despatch was laid on the Table of the House, and it would have been open to any hon. Member who rejected that doctrine to have called Lord Clarendon to account for it. I heard something about a humiliating despatch written by Lord Clarendon to the Portuguese Minister, and I find that despatch at length in the Slave Trade Papers. What, then, becomes of the charge that the proceedings of the late Government were secret, while those of the present Government have been open? If the Government insist on making this a Party question, I am not unwilling to accept the issue. I am willing—and I think those on this side of the House are willing—to bear whatever responsibility may justly fall upon us as to those decisions of Lord Clarendon. At the same time, we must recollect, if we are to bear the responsibility of those decisions, you who sit on that side of the House will have to bear the responsibility of your two Slave Circulars, and for the vote you are going to give.

Mr. DISRAELI: Mr. Speaker, I feel that, from an abstract point of view, few things are more disagreeable, and certainly none are more difficult, than to codify International Law respecting fugitive slaves in territorial waters. It may be said—"Then, if that be your opinion, why have you attempted it?" My answer is, we had no alternative; we were called upon to do it by those to whom we were peculiarly responsible. The Viceroy of India in Council made a direct request to the Government of Her Majesty that we should send him direct instructions upon that very subject. The Viceroy of India in Council forwarded to us a correspondence of the Council with our Resident in the Persian Gulf, making the same request to his Excellency. He forwarded also to us provisional instructions which the Viceroy in Council had found it necessary to draw up for the Government and the regulation of the Resident in the Persian Gulf; and we found that these provisional orders were altogether untenable. Under these circumstances, it was absolutely necessary that the Government should take some steps. They had to consider, for their guidance, first, the position of the question as to the treatment of fugitive slaves in territorial waters. They had to consider the state of the question as it had been treated by their Predecessors in office. I will not go into any old cases or ambiguous instances. I will confine myself in this part of the case to the instances which the noble Lord has just referred to, and which occurred under the control of Lord Clarendon—the cases of the *Daphne*, the *Dryad*, and the *Nymph*. It appears in all these cases that slaves have been received in territorial waters by commanders of Her Majesty's ships, and taken out of the territorial waters. Remonstrances were made by the Powers to whom those territorial waters belonged — Portugal and Madagascar—and in all these cases Lord Clarendon condemned the commanders for what they had done. More than this, Lord Clarendon required the Admiralty to try one of those commanders of Her Majesty's ships — Captain Sulivan — and there was a Court of Inquiry on his conduct, and he was censured. In the case of the *Daphne*, Lord Clarendon communicated the decision to the Portuguese Government, and afterwards an order was circulated on the Eastern Station embodying the views of Lord Clarendon. Now I have quoted from documents before us, I believe with accuracy, what took place, but I do not blame Lord Clarendon. Lord Clarendon was a most eminent man. He had assisted Lord Palmerston for years in building up a great diplomatic fabric of Treaties, the object of which was to insure the abolition of the slave trade; and the condition on which those Treaties were obtained was that the state of domestic slavery in the countries which granted those Treaties would be respected. Therefore, it is not surprising that Lord Clarendon, who had a great object with Lord Palmerston in view —an object shared by all statesmen in this House, on both sides, and the performance and development of which fell peculiarly to those eminent men — it is not surprising that Lord Clarendon, knowing with what difficulty these abolition Treaties had been obtained, should vigilantly watch over the fulfilment of the conditions by which their ends had been accomplished. And I, therefore, do not blame in any way Lord Clarendon for the course which he pursued, which I believe was perfectly consistent and very advantageous to the great cause in which this country was so deeply interested. But what I do blame is the conduct of those who were the political followers, and some of them the Colleagues, of Lord Clarendon, who can come out now and speak of him in the manner in which he has been spoken of in this debate. Now, the first person who introduced the name of Lord Clarendon in this debate was the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), who made a very peculiar speech. Considering all that had occurred in the Recess, it was not to be wondered at that he should take an early part in the debate; and it certainly was not very consistent with the position he had occupied in the country during the Recess. He was the first to introduce the name of Lord Clarendon. The right hon. Gentleman felt the great difficulty of pursuing the course he had adopted, and he at once met that difficulty. What was the description of the conduct of Lord Clarendon in these matters? It would appear from the statement of the right hon. Gentleman that Lord Clarendon, in some inadvertent moment, without thought, with great recklessness and rashness, suffering, as the right hon. Gentleman, I think, charitably intimated, perhaps from indisposition, had written what he called a note. We hear despatches now called "letters," and now a despatch is not even a "letter," but becomes a "note;" and an inadvertency of this kind by the late Lord Clarendon is the cause of all this confusion, and the sole foundation for this charge against the Liberal Party—namely, that they pursued exactly the same policy as their successors.

MR. W. E. FORSTER: Pardon me, for interrupting you, but I made no allusion to any possible indisposition of Lord Clarendon. I believe I spoke of a "letter" instead of a "note," and distinctly stated that I believed he had written a letter—a despatch contrary to what he had written in 1856; for he was so absorbed in the endeavour to put down the slave trade, that he forgot for the time the principle he had formerly advocated with regard to fugitive slaves.

MR. DISRAELI: Well, I do not think the statement of the right hon. Gentleman has materially changed the view I was conveying to the House. The right hon. Gentleman has put it to the House that there was an inadvertent letter by Lord Clarendon expressing opinions of which he could not approve, and similar to those now followed by Her Majesty's Government. Who would have supposed from the statement of the right hon. Gentleman that, instead of a single letter, this despatch was part of a serious diplomatic Correspondence —part of a series of important diplomatic incidents? Who would have supposed that not merely that commanders of Her Majesty's ships were subject to Courts of Inquiry; but communications were held with European Courts, apologies even made to European Courts, and letters received from European Courts to say they were satisfied with those apologies. Who would have supposed from the speech of the right hon. Gentleman that events of this kind had occurred? And yet we all know, from documents before us, that such are the facts of the case. At this hour and at this time of the debate I will not venture to read any extracts to the House; but they will see in pages 54 and 55 of the proceedings some of the final despatches, and they will perceive that they cover a considerable period of time. Yet Lord Clarendon was mentioned to the House as a person who wrote a letter without communicating it to his Colleagues, and that it was the indiscretion of an individual. But I find, in looking into those Papers, Lord Clarendon writing on the 31st of May, 1870, to the Portuguese Minister—

> "I trust that His Most Faithful Majesty's Government will agree with that of Her Majesty that the circumstances of the case are sufficiently met by the disapproval of Captain Sulivan's conduct, which has been made known to that officer; and I beg leave to add that instructions have been recently issued to the Commanders of Her Majesty's cruizers on the East Coast of Africa regarding the reception of negroes on board their ships which will, it is hoped, prevent the recurrence of the proceedings of which your Government have complained."

I doubt not he was justified in writing that, and he received from the Portuguese Minister in London a letter saying—

> "In compliance with your Excellency's request I shall not fail to make known to my Government the contents of your Excellency's letter, and I have no doubt they will be considered as a new proof of the friendly feelings towards Portugal of Her Britannic Majesty's Government."

That is the Correspondence referred to by the right hon. Member for Bradford as a casual letter written without the knowledge of his Colleagues. Unfortunately, the country lost the services of Lord Clarendon; and, though I was not a follower of that noble Lord, every Gentleman who knew that distinguished man felt that he was a great ornament to the public life of England. But what follows? An order was prepared in 1871 for the East Indies Station—[Mr. W. E. FORSTER: No.] No! I have it here—embodying this instruction—

> "Art. 147.—Her Majesty's Minister for Foreign Affairs has decided that slaves coming on board ships-of-war within the territorial jurisdiction of the country from which they escape, that is to say, within three miles of the shore, should be returned to the owners."

[An hon. MEMBER: Read on.] I am reading on, and I do not know why the hon. Gentleman should object. I must vindicate the Friend whom you have deserted, and the ornament of your Party whom you have left in the lurch. I must call your attention particularly to this East Indies Station Order of 1871, because it embodies in it all the instructions and sentiments of Lord Clarendon in his despatches on this subject. But Lord Clarendon, according to the right hon. Member for Bradford, acted without communicating with his Colleagues. Now I think I have proof that one at least of Lord Clarendon's Colleagues—and he no mean Colleague—was aware of what he was doing. The Lord President of the Council became Secretary of State for Foreign Affairs—that distinguished nobleman who, we are now told, is the Leader of the Liberal Party—and it is he who sends these instructions to the East Indies Station. It is Lord Granville who sends this Article 147, announcing that

> "Her Majesty's Minister for Foreign Affairs has decided that slaves coming on board ships-of-war within the territorial jurisdiction of the country from which they escape, that is to say, within three miles from the shore, should be returned to the owners."

Look at this short despatch—I will not venture to call it a letter—

> "Earl Granville to Sir C. Murray.—I transmit to you for your information copies of a correspondence, respecting the result of an inquiry into certain proceedings complained of by the Portuguese Government, of Captain Sulivan, of Her Majesty's ship "Daphne," off the coast of Mozambique. The particulars of this case will be found at pages 98 to 101 of Class B of the Slave Trade Papers laid before Parliament last Session. I am, &c., GRANVILLE."

[An hon. MEMBER: That has nothing to do with it.] It is the whole business. It shows that Lord Granville sent the whole of the correspondence on the subject of Captain Sulivan, of the *Daphne*, to our Minister at Lisbon, without a single syllable of disapprobation. He sent it freely, with his sanction and approval. Well, I think I have at last vindicated Lord Clarendon, who, we have been told, never communicated with his Colleagues. But the note was taken up by another distinguished Member of the late Government—the hon. and learned Member for Taunton (Sir Henry James). He followed the cry; the right hon. Member for Bradford gave the note, that Lord Clarendon acted without any communication with his Colleagues. The note is caught up by the hon. and learned Member for Taunton, who states that Lord Clarendon's despatches were kept secret from the House of Commons, who were free from the knowledge of any wickedness of that kind. But the noble Lord who has just addressed the House has fully vindicated the character of Lord Clarendon in this matter, because he has referred to the Papers, which I myself was prepared to quote if necessary, relating to the slave question, which were laid upon the Table of this House in 1871, in which those despatches may be found. What, therefore, becomes of the statement of the right hon. Gentleman and of the hon. and learned Member—first of all, that Lord Clarendon acted without communicating with his Colleagues; and, secondly, according to the hon. and learned Member, that he so acted without the House of Commons having the slightest inkling of what he was doing. And yet these are the two Gentlemen who have formed the opinion of the country during the Recess. These are the two Gentlemen who have been parading England and inveighing against the retrograde policy of the horrible Tory Party—the horrible Tory party—who certainly have not yet written any despatches to the effect that they have decided that slaves coming on board our ships when within the territorial jurisdiction of a slave-holding country shall be returned to their owners. [Mr. WHITWORTH: The first Circular does so.] The remark of the hon. Member reminds me of the question of the noble Lord—and I always like to answer his questions—whether, when the first Circular was drawn up, I was aware of the Act of 1873? I may say that I had nothing to do with the drawing up of the first Circular. I am, of course, officially responsible for it, and if it had not been withdrawn and a Motion had been made in this House in reference to it, I should have been ready to take the consequences of my misfortune—I will not say my fault. But the truth is that I never heard of the first Circular until it was denounced with the glowing eloquence of the right hon. Member for Bradford, and his companion in rhetoric, the hon. and learned Member for Taunton. I think I have shown, without troubling the House too much on this head, that the opinions expressed in the first and second Circulars are not novelties, and that they are mere continuations of the policy which was carried out by the Government of this country, and that they originated in no mean ideas or motives. It is all very well for us, especially under the present circumstances, to feel convenient indignation, and while painting almost with the brush that portrayed the horrors of slavery in the time of Pitt, to forget all that has occurred in the interval. It is very well to criticize Lord Palmerston and Lord Clarendon, or those who are sitting on this side of the House, but we must remember that the abolition of the slave trade was not carried merely by tumultuous acclamations. It was the work of immense labour. During the active life of Lord Palmerston, who was always at work, and who was more capable, perhaps, of work than any English Minister of our time, if there was any one subject to which he devoted his energy it was to the abolition of slavery. At that he worked for years when, so far as the public were concerned, the question was dead and uninteresting; but there was no subject that more entirely engrossed the attention of that remarkable man. The result of this was that there was a series of Treaties; but there was not a Treaty obtained that was not the result of negotiations by statesmen; and to induce the Powers, some of them great, some of them petty chieftains, to enter into these Treaties, various considerations were held out, but in all there was this general condition—that their territorial waters should be respected, and that the institution of domestic slavery should not be interfered with. Therefore, those who would have interfered rashly with the institution of domestic slavery would have prevented Lord Palmerston from availing himself of those very Treaties by which the abolition of slavery was secured. I venture to refer to this matter because, from the statements made on the other side of the House, one would be inclined to think that nothing had ever been done towards the abolition of slavery since the days of Wilberforce, until the right hon. Member for Bradford and the hon. and learned Member for Taunton made their speeches. It may be said—"It is all very well; but what are these but the despatches of Ministers and the regulations of offices? We have a certain object to attain; we do not care for these despatches, or for these regulations and these Circulars. We are resolved to come to a decision that in the territorial waters of a State a slave shall be free if he finds himself, somehow or other, in an English ship. We do not care in the least for any other object, and we will make our law stronger than any other influence." Well, can we do that? Is that the way to set about the business if you want to succeed? I will not remind you—you have been reminded before, if not in this debate on other occasions—that a vote of the House of Commons cannot change the Law of Nations; but it is very well to remember it, because on that saying much depends. But without entering into that subject which, however, interesting, must at this time have acquired more interest from the speech of the hon. and learned Member for Oxford (Sir William Harcourt), I would remind you of what my right hon. Friend the Secretary of State for War reminded you on Tuesday, that there was one thing certainly which a Resolution of the House of Commons cannot do—it cannot alter the laws of this country. You may say what you like about the law of 1873; but not a single observation has been made upon it since it was first noticed by my right hon. Friend the Secretary of State for War that touches in the least the point and pith of the inference that he drew from it. What was the answer given to me by the noble Lord (the Marquess of Hartington) in reference to this Act? He said it was a Consolidation Act. I do not care whether it is a Consolidation Act or an Act of recent invention. All I know is that under the Act of 1873 you can institute Vice Admiralty Courts and you can restore and surrender slaves. That is the law; and you must get rid of that law before you can effect a change on this subject by a vote of the House of Commons. I understand that a very passionate appeal was made to me in my absence, and I very much regret I did not hear it, by the hon. and learned Member for Barnstaple (Mr. Waddy). He adjured me to be equal to the situation, and said the effect of this vote would be to make a new law. He acquitted past and present Ministers and all public men of all blame arising from the present state of affairs in connection with slavery, but he said what the House of Commons had to do to-night was to carry a new law. Well, but that is a thing which the House of Commons cannot do, and the hon. and learned Gentleman, before he gives that fervid advice, should remember that we cannot affect International Law and municipal law by a mere vote of the House of Commons. I heard with great pleasure that this was not a Party question, and from the right hon. Gentleman the Member for Bradford, who I believe is a judge of that subject. I was prepared for that statement by the ingenious and ingenuous speech—for it deserves both epithets—by which this subject was introduced by the hon. Member for Bedford. He said "the House will observe that my Resolution does not merely include the Circulars of the Government; I am entirely impartial. I have gone back and included all the Circulars and instructions. It is equally condemnatory of those on my own side. What I would do would be to appeal to independent Members, first on my own side, to consider that this is not a Party question, and ask them for their votes, and then I would also make an appeal to independent Members on the other side, and ask them for their votes." Thus in a manner that is ingenious and ingenuous, not being a Party question, I think we may be able to put Her Majesty's Ministers in a minority. This is still a young Parliament, and there may be some young birds in it. I am not to be caught exactly in that way. It is rather a sorry sight in the House of Commons to find a great Party ready to cast away with scorn the reputations of the greatest men they have ever produced in our times, merely to catch a vote and to put opponents in a minority. The fame of Lord Palmerston, the reputation of Lord Clarendon—statesmen to whom Gentlemen on the opposite benches owe their position and prestige in the country—these are to be entirely cast away. These distinguished persons are to be treated as mere vile bodies in order that a very petty and hypocritical triumph may be gained. I have sometimes succeeded in divisions; perhaps oftener failed; but I never, when I struck at my foe, pretended that it was not a Party question; and I cannot believe that such dastardly schemes can ever succeed in a House composed of English Gentlemen. ["Oh!"] I do not apply that expression to any one Gentleman in particular. I apply it to schemes which would obtain a Party success by sacrificing the reputation of your distinguished Predecessors. If the word I have used be considered too strong I will recall it. But that, in my mind, is not the way in which the House should come to a decision. We have proposed to you what this debate proves, I think, the country ought to have recourse to. If there is anything proved by this debate more than another by the speeches which have been delivered, by the references which have been made to the opinions of eminent men on both sides—men on that (the Opposition) side who have always been held up as models and examples, and who, we are now told, were entirely in the wrong in their views and in their practice—if anything is demonstrated more than another by this debate it is the wisdom and expediency of submitting this question to the investigation and the judgment of a Royal Commission. That Royal Commission has wide powers. I know not of a Commission that ever had wider. It is not merely to ascertain what are our engagements under Treaty. That might be attained without a Royal Commission. It is not even to ascertain the principles of public law which are involved in these discussions. Although the Report of such a Commission would be received with great authority, such consequences might be realized without it. But they are permitted under the Commission which has been issued to suggest any changes that might bring about a result on some points which it might be desirable and in some respects so satisfactory to secure. They are to inquire whether by negotiation these results may not be obtained. It is impossible to deny that a state of affairs so strange as the relations between free nations and a slave population cannot always depend on exactly the same principles and the same practice. They must change with the changing fortunes and accidents of the world, and there may be modifications and enlargements of principles and practice of which we may avail ourselves without danger; nay, with great advantage. I think that no one who has listened to this debate can for a moment pretend that we can come to any satisfactory conclusion at this moment on the points which have been raised. The hon. Gentleman who brings forward the Motion is struggling at the same time with public law and municipal law, and with no greater weapon, even if he succeeds, than a vote of the House of Commons. He himself must feel the weakness and the unsatisfactory nature of the position in which he has placed himself. I do not think he will succeed. I think the House will rally round us. I believe, notwithstanding all that has been said, that the calm opinion of the country approves the course we recommend; and I think that the vote which the House of Commons will give to night will be one satisfactory to the country and lead, I hope, to a satisfactory conclusion.

MAJOR O'GORMAN: I am not disposed to give a silent vote on this question, and I intend to vote with the Government. I think, and I hope sincerely, that Her Majesty's Government will not be disconcerted by the attempt—the Party attempt—which has been made to throw odium on them. I know something—not much, but a little—[*laughter*]—hon. Members are welcome to their amusement; but I know a little with respect to the coast which is concerned more immediately in this matter of slavery. I have not gone up so far, I may say, as the North of Madagascar or Zanzibar, but I have gone some 2,000 miles along the eastern shore of South Africa; and from my observation I have discovered that on those shores there are about three parties living. There are the Kings of the country, the Chiefs of the country, and the people of the country. I always found that the people of the country were perfectly ready to grant to their superiors a certain degree of servitude, which is called in England slavery, but which is not so at all; in fact—if I may use the expression—I believe there is no such thing on earth as indigenous slavery. I thoroughly believe that if the White man never interfered the Black men would get on for thousands of years most admirably with their masters. [*Interruption.*] I know my excellent friends the Whigs will try to put me down to-night; but I can assure them they shall not do so. I am aware that I stand here at some disadvantage when I get up to speak after right hon. Gentlemen, and I would have risen before, but I really had not the opportunity. But whether I speak before, or whether I speak after, I will certainly claim my right. I shall speak in favour of Her Majesty's Government, and in favour of the poor slave; and I say most distinctly that until the poor slave was invaded by the White man he had nothing to complain of with respect to his master. Now I wish to ask the House this question with respect to officers commanding Her Majesty's ships on the East Coast of Africa—What are they to do when they are invaded by a number of fugitive slaves? Has any hon. Member got up on this side of the House to tell us what number of slaves are to get on board a frigate? Are they to be one, or are they to be 500? It is an important question; for if one man has a right to go on board, it is incontestably the right of 500 men in a similar position. What is the commander of a frigate—perhaps a small one—to do with those 500 men, who possibly had swum off from the shore to place themselves under the protection of the British flag? What is he to do with them? That is a difficult question to answer, I think; and I do not find that any attempt has been made to answer it on the part of my dear friends the Whigs. Of course, he will treat them to the best description of food, and possibly ply them well with dry champagne. Then, when they have been on board for a few days, he might perhaps be inclined to ask them whether they have any objection to work, and to that question the reply of the first he tried would probably be that given by Mickey Free—

> "I never was given to work,
> It was not a plan of the Brady's;
> But I'd make a most elegant Turk,
> For I'm fond of tobacco and ladies."

In addition to that, he will make a further inquiry—"Am I not a man and a brother, and are not you a Whig?" Who are the Gentlemen who bring forward this question with respect to slavery, and are so anxious to put a stop to slavery all over the world? Are they not the men who sat on the same side of the House with Lord John Russell when he forgot to detain by two hours the *Alabama* when she went out to plunder on the high seas? Did she not do so? For what purpose did she go? Let me ask this great House, did not that ship go out with dozens of others on the same errand? For what purpose did she do it? She did it for the purpose of crippling the power of that nation which determined at the first moment to put down that which these Gentlemen seem to detest — slavery. That is what was done with respect to that and kindred ships; and it was supported by those Gentlemen who sit on this side of the House, many of whom I dare say have made large fortunes not only by sending ships such as those to sea, but by sending others. Who are those Gentlemen who—[*Interruption*]—I demand to be heard. Who are those Gentlemen who sit on this side of the House, and who permitted me to go alone into the Lobby for taking the part of the veriest slave in this country—Sir Roger Doughty Tichborne?

Mr. SULLIVAN rose to Order.

Mr. SPEAKER: I think the hon. Member is travelling beyond the scope of the discussion. He must address himself to the question before the House.

Major O'GORMAN: I will bow to your decision, Sir. I certainly must say, Sir, that those Gentlemen on this side of the House who got up for the purpose of condemning slavery have a very poor case indeed to bring before this House. I regret exceedingly that you have obliged me to depart from that line of argument. With all due deference to you, Sir, I think I should be allowed to make use of it. However, I will only declare that the Government cannot possibly do their duty unless they give the strictest orders to the officers commanding every squadron, particularly on the East Coast of Africa, as to the mode in which they shall treat slaves on board their ships. It is absolutely necessary that that shall be done, and I hope Her Majesty's Government will do it, MR. SULLIVAN: I will detain the House with but one sentence. I hope the House will allow me to say, on behalf of my country—Ireland—that I trust my Colleagues will not go into the Lobby with my good Friend the last speaker, the last supporter of the Slave Circular.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 248; Noes 293: Majority 45.

AYES.

Acland, Sir T. D.
Adam, rt. hon. W. P.
Allen, W. S.
Amory, Sir J. H.
Anderson, G.
Anstruther, Sir R.
Antrobus, Sir E.
Backhouse, E.
Balfour, Sir G.
Barclay, A. C.
Barclay, J. W.
Bass, A.
Baxter, rt. hon. W. E.
Bazley, Sir T.
Beaumont, Major F.
Beaumont, W. B.
Bell, I. L.
Biddulph, M.
Biggar, J. G.
Blake, T.
Bolckow, H. W. F.
Brady, J.
Brassey, H. A.
Brassey, T.
Briggs, W. E.
Bright, J.
Bright, rt. hon. J.
Bristowe, S. B.
Brocklehurst, W. C.
Brogden, A.
Brooks, M.
Browne, G. E.
Bruce, rt. hon. Lord E.
Burt, T.
Butt, I.
Callan, P.
Cameron, C.
Campbell-Bannerman, H.
Carington, hn. Col. W.
Carter, R. M.
Cartwright, W. C.
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chambers, Sir T.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Clive, G.
Cole, H. T.
Colebrooke, Sir T. E.
Collins, E.
Colman, J. J.
Corbett, J.
Cotes, C. C.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Crawford, J. S.
Cross, J. K.
Crossley, J.
Davies, D.
Davies, R.
Dickson, T. A.
Dilke, Sir C. W.
Dixon, G.
Dodds, J.
Dodson, rt. hon. J. G.
Downing, M'C.
Duff, M. E. G.
Duff, R. W.
Dunbar, J.
Dundas, J. C.
Earp, T.
Edwards, H.
Egerton, Adm. hon. F.
Ellice, E.
Errington, G.
Esmonde, Sir J.
Evans, T. W.
Fawcett, H.
Fay, C. J.
Ferguson, R.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Fletcher, I.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Forsyth, W.
Foster, W. H.
French, hon. C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grieve, J. J.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Henry, M.
Herbert, H. A.
Herschell, F.
Hodgson, K. D.
Holland, S.
Holms, J.
Holms, W.
Hopwood, C. H.
Howard, hn. C. W. G.
Ingram, W. J.
Jackson, Sir H. M.
James, Sir H.
James, W. H.
Jenkins, D. J.
Johnstone, Sir H.
Kenealy, Dr.
Kensington, Lord
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Lambert, N. G.
Laverton, A.
Law, rt. hon. H.
Lawrence, Sir J. C.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lloyd, M.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lubbock, Sir J.
Lusk, Sir A.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Marjoribanks, Sir D. C.
Marling, S. S.
Martin, P. W.
Martin, P.
Massey, rt. hon. W. N.
Matheson, A.
Meldon, C. H.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Moore, A.
Morgan, G. O.
Mundella, A. J.
Muntz, P. H.
Murphy, N. D.
Nevill, C. W.
Noel, E.
Nolan, Captain
Norwood, C. M.
O'Brien, Sir P.
O'Byrne, W. R.
O'Callaghan, hon. W.
O'Clery, K.
O'Conor, D. M.
O'Conor Don, The
O'Donoghue, The
O'Keeffe, J.
O'Reilly, M. W.
O'Sullivan, W. H.
Palmer, C. M.
Parnell, C. S.
Pease, J. W.
Peel, A. W.
Pender, J.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Potter, T. B.
Price, W. E.
Ralli, P.
Ramsay, J.
Rashleigh, Sir C.
Rathbone, W.
Redmond, W. A.
Reed, E. J.
Richard, H.
Robertson, H.
Roebuck, J. A.
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuda, J. D'A.
Samuelson, B.
Seely, C.
Shaw, W.
Sheil, E.
Sheridan, H. B.
Sherlock, Mr. Serjeant
Sherriff, A. C.
Simon, Mr. Serjeant
Smith, E.
Smyth, R.
Stacpoole, W.
Stafford, Marquess of
Stansfeld, rt. hon. J.
Stanton, A. J.
Stevenson, J. C.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Tavistock, Marquess of
Taylor, D.
Taylor, P. A.
Temple, rt. hon. W. Cowper-
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Villiers, rt. hon. C. P.
Vivian, H. H.
Waddy, S. D.
Walter, J.
Ward, M. F.
Waterlow, Sir S. H.
Watkin, Sir E. W.
Weguelin, T. M.
Whalley, G. H.
Whitwell, J.
Whitworth, B.
Whitworth, W.
Williams, W.
Wilson, C.
Wilson, Sir M.
Yeaman, J.
Young, A. W.

TELLERS.

Ashley, hon. A. E.
Whitbread, S.

NOES.

Adderley, rt. hn. Sir C.
Agnew, R. V.
Alexander, Colonel
Allen, Major
Allsopp, C.
Allsopp, H.
Anstruther, Sir W.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Bathurst, A. A.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Benett-Stanford, V. F.
Bentinck, rt. hn. G. C.
Bentinck, G. W. P.
Beresford, G. de la Poer
Beresford, Colonel M.
Birley, H.
Blackburne, J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Major
Bowyer, Sir G.
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Bruce, hon. T.
Buckley, Sir E.
Bulwer, J. R.
Burrell, Sir P.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaine, J.
Chaplin, Colonel E.
Chaplin, H.
Chapman, J.
Charley, W. T.
Christie, W. L.
Churchill, Lord R.
Clifton, T. H.
Clive, hon. Col. G. W.
Close, M. C.
Clowes, S. W.
Cobbett, J. M.
Cobbold, T. C.
Cole, Col. hon. H. A.
Conolly, T.
Coope, O. E.
Corbett, Colonel
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, rt. hn. W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Deakin, J. H.
Denison, C. B.
Denison, W. E.
Dickson, Major A. G.
Digby, E. H. T.
Disraeli, rt. hon. B.
Douglas, Sir G.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Estcourt, G. B.
Ewing, A. O.
Fellowes, E.
Fielden, J.
Finch, G. H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Fraser, Sir W. A.
Freshfield, C. K.
Gardner, R. Richardson-
Garnier, J. C.
Gibson, E.
Gilpin, Sir R. T.
Goddard, A. L.
Goldney, G.
Gordon, Sir A. H.
Gordon, rt. hon. E. S.
Gordon, W.
Gore, W. R. O.
Gorst, J. E.
Grantham, W.
Greenall, Sir G.
Greene, E.
Gregory, G. B.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Hardcastle, E.
Hardy, rt. hon. G.
Hardy, J. S.
Harvey, Sir R. B.
Hay, rt. hon. Sir J. C. D.
Heath, R.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hinchingbrook, Visct.
Hogg, Sir J. M.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Holt, J. M.
Home, Captain
Hood, hon. Captain A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Hubbard, rt. hon. J.
Hunt, rt. hon. G. W.
Isaac, S.
Jervis, Colonel
Johnson, J. G.
Johnston, W.
Johnstone, H.
Jolliffe, hon. S.
Jones, J.
Kavanagh, A. MacM.
Kennard, Colonel
Kennaway, Sir J. H.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir J. T.
Learmonth, A.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leigh, Lt.-Col. E.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lindsay, Col. R. L.
Lloyd, S.
Lloyd, T. E.
Lopes, H. C.
Lopes, Sir M.
Lowther, hon. W.
Lowther, J.
Macartney, J. W. E.
Mac Iver, D.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Merewether, C. G.
Mills, A.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, S.
Morgan, hon. F.
Morris, G.
Mowbray, rt. hon. J. R.
Mulholland, J.
Naghten, Lt.-Col.
Neville-Grenville, R.
Newport, Viscount
Noel, rt. hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Gorman, P.
O'Leary, W.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Pateshall, E.
Peel, rt. hon. Sir R.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Phipps, P.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt.
Powell, W.
Praed, C. T.
Praed, H. B.
Price, Captain
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, M. W.
Ripley, H. W.
Ritchie, C. T.
Rodwell, B. B. H.
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Sanderson, T. K.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Scourfield, Sir J. H.
Selwin-Ibbetson, Sir H. J.
Shirley, S. E.
Shute, General
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, W. H.
Smollett, P. B.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Stewart, M. J.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Turnor, E.
Twells, P.
Verner, E. W.
Wait, W. K.
Walker, T. E.
Wallace, Sir R.
Walpole, hon. F.
Walpole, rt. hon. S.
Walsh, hon. A.
Watney, J.

Wellesley, Captain
Wethered, T.
Wheelhouse, W. S. J.
Whitelaw, A.
Williams, Sir F. M.
Wilmot, Sir H.
Wolff, Sir H. D.
Woodd, B. T.
Wyndham, hon. P.
Yarmouth, Earl of
Yorke, hon. E.
Yorke, J. R.

TELLERS.
Dyke, Sir W. H.
Winn, R.

Question proposed,

"That the words 'in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships,'—(*Mr. Hanbury,*)—be added,—instead thereof."

MR. FAWCETT moved as an Amendment, to insert after the word "desirable," the words

"Provided that the Circular of the 5th day of December 1857 and the East Indies Station Order of 1871, on the subject of Fugitive Slaves, shall not continue in force."

The hon. Gentleman said, the proposition embodied in this Amendment was a most important one, upon which the country was exceedingly anxious there should be a distinct and authoritative expression of opinion, raising as it did a perfectly legitimate question upon which the electors were anxious to have the most authentic information. As regarded the views and opinions of their constituents, Government, having proclaimed that at the time of the issue of the second Circular they were not fully acquainted with the law of the subject, were bound in common sense to accept this Resolution.

Amendment proposed to the said proposed Amendment,

To insert, after the word "desirable," the words "provided that the Circular of the 5th day of December 1875 and the East Indies Station Order of 1871, on the subject of Fugitive Slaves, shall not continue in force."—(*Mr. Fawcett.*)

MR. DISRAELI said, that this was a fragmentary part of the question, and it was impossible that the Amendment could be agreed to, as it would not be known in what state the law would be left, except that so far as he could judge the orders of the Indian Government in the Persian Gulf would still be in force. He had that objection without reference to other subjects; and after what had taken place it was asking the House of Commons too much to cancel its recent determination. He therefore trusted that the House would at once agree to the Resolution of the hon. Member for Tamworth (Mr. Hanbury).

Question put, "That those words be there inserted."

The House *divided:*—Ayes 245; Noes 290: Majority 45.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved, That, in the opinion of this House, in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding Four Million and Eighty Thousand Pounds, by issue of Exchequer Bonds, bearing interest at a rate not exceeding Three Pounds Ten Shillings per cent. per annum, and to be paid off from time to time at par."

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

Motion, by leave, *withdrawn.*

1. *Resolved,* That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding Four Million and Eighty Thousand Pounds, by issue of Exchequer Bonds, bearing interest at a rate not exceeding Three Pounds Ten Shillings per cent. per annum, and to be paid off from time to time at par.

2. *Resolved,* That, towards meeting the principal and interest of such Exchequer Bonds, during the currency thereof, an annual sum not exceeding Two Hundred Thousand Pounds, be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

3. *Resolved*, That the interest of such Exchequer Bonds shall be payable half-yearly out of the said sum of Two Hundred Thousand Pounds, and that the residue of the said sum shall be appropriated to the payment of the principal of the said Bonds.

4. *Resolved*, That, towards making good the Supply granted to Her Majesty for the service of the year ending on the 31st day of March 1876, the sum of Four Million and Eighty Thousand Pounds be granted out of the Consolidated Fund of the United Kingdom.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

TURNPIKE ACTS CONTINUANCE.

Select Committee *appointed*, "to inquire into the Sixth Schedule of 'The Annual Turnpike Acts Continuance Act, 1875.'"—(*Mr. Salt.*)

And, on February 25, Committee *nominated* as follows: — Lord GEORGE CAVENDISH, Lord HENRY THYNNE, Mr. BEACH, Mr. WENTWORTH BEAUMONT, Sir ROBERT ANSTRUTHER, Mr. WILBRAHAM EGERTON, Sir HARCOURT JOHNSTONE, Mr. CLARE READ, Mr. SPENCER STANHOPE, Mr. GEORGE CLIVE, and Mr. SALT:—Power to send for persons, papers, and records; Three to be the quorum.

Instruction to the Committee, that they have power to inquire and report to the House under what conditions, with reference to the rate of interest, expenses of management, maintenance of road, payment of debt, and term of years, or other special arrangements, the Acts of the Trusts mentioned should be continued.—(*Mr. Salt.*)

COLONIAL MARRIAGES BILL.

On Motion of Sir THOMAS CHAMBERS, Bill to remove doubts with reference to certain Colonial Marriages, *ordered* to be brought in by Sir THOMAS CHAMBERS, Dr. CAMERON, and Mr. YOUNG.

Bill *presented*, and read the first time. [Bill 87.]

House adjourned at a quarter before Three o'clock.

* * *

HOUSE OF LORDS,

Friday, 25*th February*, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—United Parishes (Scotland) * (18).
Second Reading—Appellate Jurisdiction * (5).

RECEPTION OF FUGITIVE SLAVES.

THE DEBATE IN THE COMMONS.—PERSONAL EXPLANATION.

EARL GRANVILLE: My Lords, I rise to ask your Lordships' forbearance on a personal question. It would not have been necessary, if as I am informed, my Colleagues had not been constrained to remain silent last night by the Parliamentary custom of allowing the Prime Minister to have the last word—a custom which is convenient to the House, and certainly is not without advantage to the Government, but which imposes a greater responsibility as to the statement of facts upon which the immediate division is to be taken. It has happened on two occasions on the debate on the Address—one last year and one this—that I appealed to the noble Marquess the Secretary of State for India and the noble Earl the Secretary for the Colonies, as to whether they did not disclaim the particular grounds on which their administration had been praised by the Prime Minister. Out of mere consistency I must therefore refuse any compliment such as that which has been paid to me in the other House by the Prime Minister, and which was grounded, as it appears to me, on a misapprehension of facts. I have read a report of the Prime Minister's speech in the debate which closed this morning. I do not wish to give the slightest cause for a debate on the matter, and I will not refer to that speech further than to say that the greater part of it appears to have consisted in a just and eloquent tribute to Lord Palmerston and Lord Clarendon in respect of their course in regard to fugitive slaves, and who, it was claimed, had furnished the precedents that justified the policy lately pursued by Her Majesty's Government. I will not go into that question now; though I trust that an opportunity may occur when I hope to show that those precedents are not so apt and so continuous as may be supposed, and that none of them apply exactly to the present case. For the present, I will confine myself to some allusions which the right hon. Gentleman made to me in very courteous terms, and in which he did me the great honour of associating me with Lord Clarendon and claiming me as a supporter of the present policy of the Government. Mr. Disraeli is reported in *The Times* to have said, and one or two gentlemen have assured me that the report is not inaccurate—

> "I must call your attention particularly to this East Indies Station Order of 1871, because it embodies in it all the instructions and sentiments of Lord Clarendon in his despatches on the subject."

It embodied, and at the same time simplified, but that is nothing. Mr. Disraeli proceeded—

"But Lord Clarendon, according to the right hon. Member for Bradford, acted without communicating with his colleagues. Now I think I have proof that one at least of Lord Clarendon's Colleagues"—

I shall spare your Lordships' ears and my own blushes by not reading some expressions complimentary to myself—

"was aware of what he was doing. The Lord President of the Council became Secretary of State for Foreign Affairs, ... and it is he who sends these instructions to the East Indies Station. It is Lord Granville who sends this Article 147, announcing that 'Her Majesty's Minister for Foreign Affairs has decided that slaves coming on board ships of war within the territorial jurisdiction of the country from which they escape, that is to say, within three miles from the shore, should be returned to their owners.'

Look at this short despatch—I will not venture to call it a letter:—

"'Earl Granville to Sir C. Murray.—I transmit to you, for your information, copies of a correspondence, respecting the results of an inquiry into certain proceedings, complained of by the Portuguese Government, of Captain Sulivan, of Her Majesty's ship "Daphne," off the coast of Mozambique. The particulars of this case will be found at pages 98 to 101 of Class B of the Slave Trade Papers laid before Parliament last Session. I am, &c., GRANVILLE.'

That shows that Lord Granville sent the whole of the correspondence on the subject of Captain Sulivan, of the *Daphne*, to our Minister at Lisbon without a single syllable of disapprobation. He sent it freely, with his sanction and approval. Well, I think I have at last vindicated Lord Clarendon, who, we have been told, never communicated with his Colleagues. But the note was taken up by another distinguished Member of the late Government—the hon. and learned Member for Taunton. He followed the cry; the right hon. Member for Bradford gave the note that Lord Clarendon acted without any communication with his Colleagues. The note is caught up by the hon. and learned Member for Taunton, who states that Lord Clarendon's despatches were kept secret from the House of Commons, who were free from the knowledge of any wickedness of that kind. But the noble Lord who has just addressed the House has fully vindicated the character of Lord Clarendon in this matter, because he has referred to the Papers, which I myself was prepared to quote if necessary, relating to the slave question, which were laid upon the Table of this House in 1871, in which those despatches may be found. What, therefore, becomes of the statement of the right hon. Gentleman and of the hon. and learned Member, first of all that Lord Clarendon acted without communicating with his Colleagues, and secondly, according to the hon. and learned Member, that he so acted without the House of Commons having the slightest inkling of what he was doing? And yet these are the two Gentlemen who have formed the opinion of the country during the Recess. These are the two Gentlemen who have been parading England and inveighing against the retrograde policy of the horrible Tory Party—the horrible Tory Party—who certainly have not yet written any despatches to the effect that they have decided that slaves coming on board our ships when within the territorial jurisdiction of a slave-holding country shall be returned to their owners."

My Lords, I may remind your Lordships that I stated to the House in the debate on the Address that it had never happened to me to hear the subject of the regulations as to slaves coming on board Her Majesty's ships brought before the Cabinet, and that I had never been called upon officially to give an opinion on the question. Your Lordships will remark from the extracts which I have just read that the grounds on which I was complimentarily associated with Lord Clarendon were—first, that I was aware of what Lord Clarendon was doing; secondly, that I sent Lord Clarendon's correspondence to Sir Charles Murray freely with my sanction and approbation; and, thirdly, that it is I who sent instructions to the East Indies Station, I who sent the Article 147, the contents of which you have heard read. With regard to the first ground of compliment, I have to state that privately I never knew at the time that any such correspondence was going on. It was not likely I should, and for this you must take my word. But I have the authority of all my Colleagues for asserting that it never was brought before the Cabinet. As to the second, it is true that I signed the routine despatch formally transmitting the correspondence of my Predecessor on a closed case to our Minister at Lisbon for his information. The noble Earl opposite will, I think, bear me out in saying that hundreds of such routine despatches are sent from the Foreign Office every year, which the Secretary of State issues without making himself fully and intimately acquainted with their contents. I can, however, discover no trace of sanction and approbation unless it is meant to show that my disapproval of a past correspondence—which I believe I never read—on a subject which was closed I was to keep our Minister ignorant of what had passed between Lord Clarendon and the Portuguese Minister.

As to the third ground of compliment, with respect to my having sent the Instructions to the East Indies, and to my having sent the now well-known Article 147, I can only say that the Instructions were sent by my Predecessor; that I never sent any Instructions at all; and that the Order issued by the Admiral on the station never came back to the Foreign Office during my time; and I never heard of it till some three months ago, when a gentleman whom I do not know sent it to me as an extract from an Indian paper. My Lords, I think I have stated enough to show that there is not the slightest ground for compliments intentional or unintentional, nor any ground for praise or blame, in connection with my part in this matter. As to Lord Palmerston and Lord Clarendon, I never knew two persons more anxious for the total abolition of slavery. It is one of my proudest reflections that I was introduced to public life by Lord Palmerston, and that my relations with him closed only with his death, and that I was politically and personally associated with Lord Clarendon, one of the ablest, most popular, and successful Foreign Ministers who have ever filled office in this country.

THE EARL OF DERBY: My Lords, I do not rise for the purpose of raising any controversy on the large subject of the regulations regarding slaves coming on board Her Majesty's ships. I think it was reasonable in my noble Friend (Earl Granville) to wish to make a personal explanation. If he had confined himself to that—if he considered that any statement was made, here or elsewhere, which affected him, and which did not accord with his own recollection of transactions in which he had been himself engaged—nothing could have been more natural than that he should take the earliest opportunity of correcting what he regarded as a misapprehension, and of placing the matter in what appeared to him to be the proper light. But I think that no one, either here or in the other House of Parliament, would have considered what was said in the other House of Parliament last night as any reflection on the noble Earl. What I understand the noble Earl to state is, that the Circular which has been referred to in "another place" never was discussed in the Cabinet of which the noble Earl was a Member, and never came under his personal notice. The noble Earl goes on to deny having any knowledge of Lord Clarendon's Correspondence; on that point I, of course, accept his statement; but I do not understand that the noble Earl denies that he transmitted in October, 1870, to Sir Charles Murray, an official Correspondence containing that expression of opinion, in consequence of which the instructions which have been referred to were issued. I think, therefore, my right hon. Friend (Mr. Disraeli) was justified in saying that the noble Earl had at least official knowledge of the Correspondence in question: since he forwarded it for the information of our Minister at Lisbon. The noble Earl says that he sent that Correspondence in his despatch of October, 1870, without having personally acquainted himself with its contents. That is an explanation I can well understand; but still I think, in the face of that despatch, my right hon. Friend was perfectly justified in assuming that the noble Earl had knowledge of the contents of the Correspondence. If the noble Earl says—"Officially I had something to do with it, because I had to forward it, though I did so without approval or comment; but personally I was not acquainted with it, because I did not look at or read the Papers," that is an explanation we accept, and the accuracy of which we do not doubt; but it is an explanation founded on a circumstance which could have been only within the knowledge of the noble Earl himself, and with which my right hon. Friend could not possibly have been acquainted.

EARL GRANVILLE: I thank the noble Earl; but he has not said a word as to the assertion of my having sent the instructions to the station on which the Station Order was founded.

THE EARL OF DERBY: I fully admit that the Station Order was issued by the Admiral on the station, and not by the Admiralty; and that it was founded on instructions issued in the time of Lord Clarendon, and before the noble Earl was connected with the Foreign Office. In that matter of detail my right hon. Friend may have been misled; but his general argument was correct—because whether or not the noble Earl was cognizant of the instructions, yet they had been issued by the Admiralty; and had my right hon. Friend substituted for the name of the noble Earl the name of the First Lord of the Admiralty, he would have been correct in detail as well as in principle. The argument of the noble Earl is that the act was Lord Clarendon's alone, and not that of the Cabinet. We contend that it is one for which the Cabinet of which the noble Earl was a Member must be held responsible, inasmuch as two Members at least of that Cabinet personally concurred in it.

APPELLATE JURISDICTION BILL.

(*The Lord Chancellor.*)

[NO. 5.] SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2^a."—(*The Lord Chancellor.*)

LORD SELBORNE said, he did not rise for the purpose of opposing the second reading of the Bill. He did not doubt that under the circumstances in which his noble and learned Friend the Lord Chancellor was placed he had done the best he could. His (Lord Selborne's) own estimate of the scheme, compared with the schemes proposed in former years, was that it did not come up to the best thing possible; but it was due to his noble and learned Friend to say, that if he (Lord Selborne) had been compelled to frame a measure under the conditions imposed upon his noble and learned Friend, he did not think he could suggest anything better, as far as it went, than the scheme now before the House. He took it that his noble and learned Friend had before him certain postulates from which he could not relieve himself. His noble and learned Friend, when introducing the measure, quoted a passage from a speech of the late Lord Derby in which he was sure all their Lordships would concur. It was to the effect that in the consideration of every question relating to the Tribunal of Final Appeal, the due administration of justice ought to have the first place. Criticizing the scheme now before their Lordships, and comparing it with those which were proposed in 1873 and subsequently, upon grounds entirely independent of its connection with their Lordships' House, he found that it established two distinct Courts of Appeal absolutely and completely separate from each other. There was the first or Intermediate Court of Appeal, and the second or Final Court of Appeal. Counting the Judicial Committee of the Privy Council, there would be three different Courts of Appeal. The Intermediate Court was, for the present and for a period which might be considerable, to be constituted as provided by the Act of last year: with regard to the two Final Courts, they were to retain their present names and form, but were subjected to various changes and modifications. Between the present scheme and those embodied in the Act of 1873, and in the Bill of 1874, there was a difference of the greatest possible importance. The opinion on which he had acted when framing the Act of 1873, was that the best Court of Appeal was that which would concentrate and bring to one focus all the highest judicial elements available, so as to obtain the greatest possible economy, both of time and of power, and also the greatest possible weight of authority for all the decisions of the Court. He thought in 1873, and he still thought, that, whether there were to be two appeals or only one, the Court should be one, every Member of which should be available for all the appellate business, whether the decision on it was to be intermediate or final, and which should have the power not only of deciding appeals brought before it, but of reviewing and reconsidering any judgment of its own which might appear proper to be so dealt with. Such a Court of Appeal seemed to him a better constituted one than one which divided the judicial elements, and rendered one portion of them unavailable for the most numerous, and not the least important class of appeals. His (Lord Selborne's) Bill of 1873 provided that there should be one Appeal Court of undivided authority; but power was given to the Judges to have the first decision of that Court reviewed if they thought it expedient. His noble and learned Friend in his Bill of 1874, instead of constituting one undivided Court, constituted a Court with a First Division to review the decisions given on first appeals by the Second Division: but he did not by that plan destroy the unity and integrity of the Court, because every Judge of the Court of Appeal was still made available, in case of need, for sitting in either Division. By either of those arrangements there would have been an economy of judicial strength in the hearing of appeals, similar to that which his noble and learned Friend had shown to have already produced such satisfactory results in the High Court of Justice established by the Judicature Act. In the Bill now before their Lordships a different plan was adopted. He thought it was to be lamented that this Bill made two Courts of Appeal instead of one, in a way which would prevent any interchange of judicial power. The Court of Appeal of their Lordships' House must always have much less business to do than the First or Intermediate Court of Appeal. The business of the latter must always be very large in quantity, and very important in quality—much larger than that of the Final Court of Appeal, and in his opinion not less important in quality. By dividing the Court of Intermediate Appeal from the Court of Final Appeal, as was done by this Bill, all the Judges who were required for the Court of Final Appeal would be excluded from the First Court. The Lord Chancellor would be practically excluded from the First Court, because he must always preside in the Court of Final Appeal, which would be sitting throughout the legal year. The four Lords of Appeal to be appointed under the Bill, and all ex-Chancellors, would also be excluded from that Court. Under the Act of 1873, all ex-Chancellors who were able and willing would have been effective Members of the Court, by which the whole Appeal business of the country would have been disposed of; because he could not believe that any man who had filled the office of Lord Chancellor, after signifying under his hand to the Crown his willingness to sit as a Judge of Appeal, would have neglected to do so. On the other hand, by this arrangement, the Lord Chief Justice of England, the Master of the Rolls, the Chief Justice of the Common Pleas, and the Lord Chief Baron, unless they were hereditary Peers, would all be excluded from the Court of Final Appeal. Next, with regard to the authority of the Court. The mere fact of Finality was enough to give authority, even if the constitution of the Court was not the best imaginable: but this authority, under the Act of 1873, would have belonged to all the decisions of the single Court of Appeal. Under the plan of the present Bill, the Intermediate Court, which would necessarily dispose of by far the larger part of the business, must lose considerably in point of authority—certainly until the postponed arrangement of his noble and learned Friend came into operation, which would put an end to the fluctuating attendance of Puisne Judges from the different Divisions of the High Court of Justice. By the Bills of 1873 and 1874 no elements were introduced into the Court of Appeal from the Courts of the First Instance except fixed elements and those of the highest dignity—the Chiefs of the Common Law Courts and the Master of the Rolls. Under the Bill now before the House there would continue to be an undefined number of variable Puisne Judges assisting in the Intermediate Court of Appeal, as there were at present under the Act of last year. This arrangement might be called temporary, in view of his noble and learned Friend's plan of eventually strengthening the Court of Intermediate Appeal from another source; but it was likely to last a considerable period, and, during that period, it might tend in no slight degree to discredit the working of that Court of Appeal. He had the less scruple in speaking plainly on this subject, because down to the present time it was admitted, on all hands, that the Appeal business had been well done, and by some of the ablest and most experienced of our Judges. Somebody must select the Puisne Judgesof the Courts of First Instance who from time to time would be required to sit in the Court of Intermediate Appeal: and nobody could possibly say that out of so large a number of Judges all could be strictly equal in judicial skill, experience, and learning, or that all would possess equally, for the purposes of appeal, the public confidence. In the constitution of any Court of Intermediate Appeal it would manifestly be desirable to have Judges of the most proved learning, ability, and experience, and those in whose judgment the public at large would have the greatest confidence. But see how invidious it must be to make a selection among the Puisne Judges on that principle, which was the only right one. Having himself filled the office of Lord Chancellor, he knew that it would be impossible for the Lord Chancellor to proceed merely on his own personal opinion. What was the alternative? For the Courts themselves to select the members of their own Divisions who were to attend in the Court of Appeal. This must ultimately result in a system of rotation, which would send every Puisne Judge in turn to serve in each Court of Appeal: or else the Judges of Division must select among themselves; and this would probably be done with regard to the general convenience of their business, rather than with a view to any man's especial fitness. The noble and learned Lord had said, when introducing this Bill, that eventually under his scheme there would be a reduction of the number of Judges of the First Instance; but he (Lord Selborne) confessed that he did not look forward with confidence to the fulfilment of that expectation. The provision for that purpose, which was expressly made by the Act of 1873, was absolutely repealed by the Act of last year: and he found no provision whatever, for any reduction of the number of Judges, in any event whatever, in this Bill. He regretted that his noble and learned Friend had not seen his way at once to a reduction of the number of Judges of the First Instance, which would have enabled him to take some of the more experienced members of the present High Court of Justice, and place them, subject to the obligation of still going on Circuit, when necessary, in the position of permanent Members of the Intermediate Court of Appeal. He might thus have effected at once and in a most satisfactory way the reduction which he anticipated at some future period. He regretted also that this Bill did not, like the Act of 1873, contain distinct provisions for diminishing the expense of the final appeals. Those expenses were, in his opinion, very extravagant, and any system which did not diminish them was to be condemned on that ground. The printing *de novo* of volumes of matter which had been already printed in the Courts below was most unjustifiable and most oppressive to suitors. As to the fees paid to counsel, he was aware that their Lordships could not undertake to prescribe to parties what they should voluntarily pay to their own counsel—at all events, as long as the fees of counsel were not recoverable by law. If they had been recoverable by law, he did not see why they should not be taxed; as they were not, the House could not prevent parties from paying what fees they thought fit; but their Lordships might limit the sum beyond which the losing party could not be mulcted at the option of the successful party. He should not be satisfied with the working of any appellate system which left these enormous expenses unreduced. Another point, which would inevitably acquire hereafter a greater degree of importance than it had at present, was that relating to the place where the final appeals were to be heard. In this Bill there was a provision enabling Her Majesty to assemble the Court of Final Appeal during the dissolution of Parliament, and it was provided that when assembled it was to sit in the House of Lords. As they were to sit in that House at such a time, it might be taken that they were not to sit in any other place at any other time. At present the inconvenience of such an arrangement might not be much felt by the Bar; but the time was approaching when there would be a general assemblage of all the Courts in a single building remote from the House of Lords; and he anticipated that when that time came all branches of the legal profession would feel the great inconvenience of attending at Westminster, and there would be a demand for the transfer of the Final Court to a more convenient place. It ought also not to be overlooked that the connection of the Supreme Court of Appeal with their Lordships' House might, in other respects, prove an impediment to arrangements in themselves desirable. The case of Ecclesiastical Appeals was an example in point. In respect of Ecclesiastical Appeals, he did not say that any system would be satisfactory to all persons concerned in such appeals; but the Judicial Committee of the Privy Council was open to the objection that it consisted of a large number of Members, of whom those only who were summoned for the hearing of the particular case could take part in the decision of any Ecclesiastical Appeal. If all the Members were summoned, and attended, the tribunal would be one of inconvenient magnitude. Either that must be done or there must be some selection. Of late, all had been summoned; but it must still depend on accidents, varying with each particular case, who might attend. For that, and some other reasons, there was a great deal to be said in favour of the transfer of Ecclesiastical Appeals to their Lordships' House, where the number of Judges was small, and the Judges would be of authority high as would be found anywhere else. Another reason in favour of such a transfer was, that a purely Civil Tribunal was insisted upon, in 1873, in the interest of the Church and the Clergy. He did not himself propose in 1873 to interfere with those Ecclesiastical Appeals: but their Lordships knew that it was then forced on him. A strong argument might, therefore, be made for transferring Ecclesiastical Appeals to the House of Lords, but for a difficulty to which he would briefly refer. It seemed now to be thought best, on the whole, that Bishops should not sit as Judges in Ecclesiastical Appeals; and, accordingly, the present Bill proposed to repeal the clause in the Church Discipline Act, which gave them a place on the Judicial Committee of the Privy Council in cases arising under that Act, and to substitute a provision, like that in the Act of 1873, for enabling them to be summoned as assessors in such cases, whether members of the Privy Council or not. This struck him as being an insuperable difficulty in the way of removing Ecclesiastical Appeals to their Lordships' House. The Bishops, as Lords of Parliament, had the right of voting in that House, and could not sit as assessors in a Court where their powers, by virtue of their position and rank, were those of Judges: and, in this particular class of cases, it might be difficult for them, if they were legally Judges, to reconcile a voluntary renunciation of the judicial office with their sense of duty, as the lay Peers had done in cases which they had no special aptitude to understand. He had now sufficiently dwelt upon the circumstances which in his view made their Lordships' House not the best Court of Final Appeal; and, as this was the last occasion on which he should think it necessary to address their Lordships upon this subject, it had been his wish, while acquiescing under protest in the present Bill, to place his opinion once more, and finally, on record. On the political part of the question, his words should be few. He supposed that—whether rightly or wrongly he should not express an opinion—political considerations had had much to do with the present Bill. He had admitted that, if the jurisdiction of their Lordships' House were to continue, the proposals contained in the Bill might, on the whole, be the best that could have been devised; but, at the same time, he could not dissemble his belief, that the House would not advance its authority, or power, or dignity as a great constitutional Assembly by the arrangements proposed in the Bill of his noble and learned Friend on the Woolsack. It was proposed that a certain number of lawyers should be constituted Peers by Act of Parliament, during the time in which they continued to act as Judges, and that if they, from any reason, ceased to perform judicial functions under the Bill, they might retain their titles, but should lose the power of sitting or voting as Peers. To these Peers by Act of Parliament, chiefly, from the beginning, and perhaps in the end altogether, the power of administering justice in their Lordships' name, whether their Lordships were in Session as a House of Parliament or not, was to be committed. The illusion of a connection, once real, but now unreal, between this branch of the Legislature and the administration of justice, was sought to be perpetuated by a new Parliamentary Court, presided over by a new species of Peers, the creation, not of the Royal Prerogative, but of the Statute law, which would represent not their Lordships' traditions and immemorial privileges, but this entirely novel legislation of 1876. He would not dwell upon some minor questions, which the Bill, as it stood, did not solve, but which required solution. Were these new Statutory Peers to retain their offices and salaries, if they should be made hereditary Peers? Could they, while holding those offices, be made hereditary Peers, under a Bill which so exactly defined the kind of Peerage which they were to have, and said, that it should not descend to their heirs? What was to be the *status* of their children, by whom their honours could not be inherited? Why, if there was to be any such new class of official Peers, was the tenure of their Peerages made different from that of the only existing official Peers, the Bishops, who ceased to be Peers altogether, and for every purpose, when they resigned their offices? All these questions might seem unimportant in themselves: but they were not unimportant with respect to the operation of a Bill like this upon the political position of their Lordships' House. Whether such legislation as this would be satisfactory to those, whose zeal for their Lordships' privileges had now succeeded in setting aside the settlement of 1873, remained to be seen: his own view was, that their Lordships' dignity and political importance could not gain, but might possibly lose, by such legislation. He had himself voted for a similar measure, not without reluctance, but under the pressure of the wish to provide for the due administration of justice with as little disturbance as possible of the associations connected with their Lordships' House, more than 20 years ago, in the House of Commons. Twenty years, however, could not pass by, and leave the state of such a question as this unchanged: it was one thing to attempt in vain to make an imperfect step in advance, and another, to make the same step backwards many years afterwards. Still, as the experiment was now to be tried, he could only say, that he desired, as much as any man, that it should succeed. The Court, which was to be now established under the name of the House of Lords, would not, in his opinion, be the best possible; still, he did not doubt, that it would be a powerful and a good Court: and if it administered justice well, the respect and reverence which the people of England were always ready to show, even under far less favourable conditions, to the administration of justice, would gather round it, and it would be strengthened, from day to day, by the authority and finality of its decisions. He did not yield, even to his noble and learned Friend on the Woolsack, in the earnestness of his hope—since the plan which he thought better had been overthrown—that the arrangement now proposed might fulfil the expectations, which his noble and learned Friend had formed of it, and give satisfaction, for many years to come, to the House and to the country.

LORD DENMAN said, he was surprised that the noble and learned Lord (Lord Selborne) had not proposed Amendments in Committee to this Bill. He had truly said that the Bill in 1856 had led to no results; and he (Lord Denman) wished to prevent the House from repeating its concessions. In his speeches against the Bill he had advised that the creation of Lord Wensleydale should be made hereditary; that Lord Kingsdown, then Mr. Pemberton Leigh, who had twice refused a Peerage, should receive one. Both these steps were adopted. He had also dimly shadowed forth the advice that Sir William Erle should receive a Peerage. It was true that the Lord Chief Justice (Tenterden) would not receive a Peerage till the salary was fixed at £10,000 a-year. It ought never to have been reduced, as all patronage was abolished, and he himself might have now been Chief Registrar of Deeds in Middlesex, if Sir Thomas Denman had not voted, in 1830, for a general registry. He, when Attorney General, in 1832, proposed that the retiring pension of Chancellors should be £6,000 a-year, and it certainly would be an anomaly if two Peers for years who might never have been on the Bench should receive £6,000 a-year for services, whilst a retiring Chancellor, even if sitting daily in the House of Lords, had received only £5,000, and a retiring Lord Chief Justice or Lord Chief Baron would receive even less. He disapproved of the system of only one spokesman delivering judgment in the Privy Council, which, though strong, was like a powerful steam engine —which had only one whistle. There were already two powerful Courts, and errors of the Privy Council could be corrected by Act of Parliament, and any discrepancy in the law be corrected. There was no danger of any lay Peer being allowed to vote, and he mentioned having been on a Committee of the Whole House, and having tried to vote on a case of Bain against Fothergill, he had read the opinions of the Judges, and also since a correspondence between an eminent counsel, Mr. Rand, in the United States, and the opinions of Lord Chancellor Kent and Mr. Justice Story were quoted. The Judges in England had been divided in opinion. The case of Bain *v.* Fothergill almost authorized any person to offer an estate for sale, knowing an insuperable obstacle to the completion of his title. Lord Eldon had said—"But you must look to principles, if cases had not entirely obscured them."—[See *Campbell's Lives*, v. 7, p. 644.] He (Lord Denman) was convinced that the lay element was of the greatest importance, and referred to Sir J. Stuart's and Lord Romilly's opinions. He mentioned also that the expense of appeals had been mentioned, but that the entire kingdom of Scotland were content to incur that expense rather than change the tribunal.

It had been said by *The Times* that the new Appeal Court would no longer be the House of Lords. In Ireland a preference was given to it as an Appeal Court. And he mentioned a case in which a poor man had thought himself much aggrieved, his former counsel, Lord Romilly, had said he would support the case if brought by some Peer before the House — he inquired of a gallant officer then aged 85, who was mentioned by the appellant, and found that it was not Sir John (then Colonel Aitchison,) but a Committee of the Guards who had removed the mess from his hotel. And he had also seen the venerable Lord St. Leonards, who assured him that everything had been perfectly regular, and that he had abstained from voting or influencing any Peer to support his judgment as Chancellor of Ireland. Though present, Lord Romilly did not say a word, and Lord Selborne said that he thought the case had been treated with discretion. The appellant had wished that the late Bishop of Llandaff (Dr. Copleston), attending on the appeal, as well as the present Lord Blantyre, had taken part in the proceedings. He (Lord Denman) was glad that he had taken this opportunity in the lifetime of those venerable personages of ascertaining the truth. He hoped that the sons of noble Lords would be brought up to a study of the laws, and be able, if they heard the whole of a case as they ought, to decide between any two Law Lords who were bound openly to give their reasons.

LORD HATHERLEY desired to state his reasons for entering his protest against the mode in which his noble and learned Friend on the Woolsack proposed to constitute the Court of Final Appeal under the present Bill. He might mention that he and Baron Bramwell were among the first to suggest the fusion—not of Law and Equity, but the fusion of the Courts which administered Law and Equity, and they had heard on the highest authority that the new system had worked satisfactorily. Now, what would be one of the consequences of retransferring to the House of Lords the final Appellate Jurisdiction? It would be this—that they would have two Courts of Final Appeal—this House and the Judicial Committee of the Privy Council. Well, the latter dealt with appeals from all parts of our Colonies, including those where the law was identical with that of England. That being so, the Judicial Committee of the Privy Council might come to one conclusion on a point of purely English law, and the House of Lords on identically the same point might come to an opposite conclusion; and this, though it might not be productive of any great evil at the present time, could not be regarded as a satisfactory state of things. The next points with reference to the jurisdiction of their Lordships' House had reference to the difficulty of at all times finding an adequate Quorum for the administration of justice—the difficulty of securing continuous sittings—and that arising from the question of expense. With regard to those several difficulties the first two were dealt with by the Bill, but not, he thought, in such a manner as should make them feel very proud of retaining their jurisdiction in name. The first was met in this way—a new variety of Peer was to be created; and the second by a provision that the Final Court of Appeal should be at liberty to sit during a prorogation and after a dissolution of Parliament. If such a Court was to be called the House of Lords, if that would please everybody, and if they could thereby secure a good tribunal, he confessed he was ready under protest to accept such a substituted jurisdiction of the House of Lords; but what was to be the nature of the Peerages to be created? Two Peers were to be appointed for life; but with this extraordinary distinction—that the moment their judicial career ceased their political career was to cease also. Now, he had heard a great deal of late as to the inexpediency of mixing up the judicial and the political functions; but here the two were to be indissolubly entwined, and the moment the person who exercised them ceased to be fit to be a Judge he ceased also to be fit to be a politician; as soon as his judicial thread was spun he was to collapse into a chrysalis state of Peerage. That seemed to be an extraordinary provision, and he did not think it was calculated to add to the dignity of their Lordships' House. Then, again, it was provided that after a dissolution if Her Majesty should be so advised the Lords of Appeal might be called together to deal only with judicial matters—the House would be precluded from sitting—and yet this was to be called the House of Lords! But supposing that the Judicial Committee of the Privy Council were in time to be merged in the proposed Final Court of Appeal, this result would happen—that the Court would have to hear and decide upon appeals from the Colonies. But the Colonies might reasonably be dissatisfied at their Lordships' House legislating as to how their appeals should be heard. It would be difficult to transfer the cases coming before the Privy Council to their Lordships' House. The next point was as to the expense attending upon appeals. Much of that which was printed was matter which had been already printed in the Courts below; and why should it be reprinted in order that fresh copies might be given to those who heard the appeal in their Lordships' House? It might be thought that it would not be in accordance with the dignity of their Lordships' House to read the documents which had been printed for the use of an Inferior Court, and that, therefore, it was necessary that all this expense should be incurred over again. A suitor in a case before the Vice Chancellor and the Master of the Rolls instructed counsel; and sometimes it happened that the same counsel a week afterwards, when an appeal was determined upon, had the same identical brief handed to him, with, of course, an additional fee by way of payment. The printed matter, in like manner, when the case came before their Lordships' House, would be the same as in the Inferior Courts, and would be equally available if it were not regarded as so august a tribunal. The sitting of their Lordships in that House on appeals would make a great difference in increasing the cost of appeals. It was necessary at present to take counsel from the Courts in which they might be practising; and the fees to counsel did not altogether depend upon the particular counsel engaged, because if a brief were given to a barrister who was only called yesterday, he received a "refreshing" fee for every day that he attended at their Lordships' Bar. The result was that the cost of an appeal before their Lordships might be taken to be about 50 guineas a day. A great deal of this expense might be avoided if counsel were not taken from the neighbourhood of their own Courts; but when a member of the Bar was taken from Lincoln's Inn and brought down to Westminster a higher scale of fees was naturally adopted. He confessed he should very much like to see the final appeals brought before one Court, and that Court the Privy Council. It was only an act of justice to the Judicial Committee to state that when the present Court was constituted there were about 380 causes waiting for hearing, and an accumulation of 80 or 90 causes year by year. Since, however, the four salaried Judges were appointed these 380 causes in the nature of arrears had wholly disappeared, and the ordinary Paper of Causes was got through without any of the former delay to suitors. He believed that if the Judicial Committee were made the final appellate tribunal everything that their Lordships desired would be secured. He bowed, however, to the course which their Lordships appeared to be inclined to adopt. He hoped to see one Final Court of Appeal appointed, and he could only regret that it was, in the opinion of the noble and learned Lord, only to be secured by this somewhat attenuated phantom of the House which was to hear and determine the final appeals in their Lordships' House.

LORD MONCREIFF: My Lords, I naturally look upon this matter from a somewhat different point of view to that which has been taken by my two noble and learned Friends. If this question related simply to the establishment of the best tribunal in this country, I should have had great diffidence in expressing my opinion, seeing that there are many noble Lords who have more experience in matters relating to the law here, and especially regarding the fact that there are in this country various elements for the formation of a good Court of Appeal from among the existing tribunals. But such elements for the formation of a Court of Appeal do not exist in Scotland. At the time of the Union it was thought necessary to provide against this difficulty, and in the Act of Union there is a special clause that there should be no right of appeal from Scotch Courts to any English Court. The proper Court of Appeal, therefore, for Scotland is to your Lordships' House. I cannot, my Lords, refrain from saying that the Profession in Scotland have been very well satisfied with the administration of appeals in your Lordships' House; and although many of those who hear these appeals are not versed in the system of Scotch law, yet there is so much attention, so much anxiety, and so much deliberation shown in the investigation of Scotch causes that although there may have been a slight miscarriage of justice now and then, yet, upon the whole, the way in which Scotch appeals have been investigated has given the greatest satisfaction. Perhaps if we had some security that the same care, attention, and deliberation would be given to Scotch appeals in Courts of Law constituted outside this House, it might be that the same satisfaction would be felt; but then I do not see how the difficulty with respect to the clauses of the Act of Union are to be got over. It is the opinion of those in Scotland who are conversant with this matter—I do not say the unanimous, but it is the general opinion—that it is not desirable that we should interpose any objection if the matter only referred to the hearing of English appeals. It was quite competent, of course, for your Lordships to abandon your privileges, and constitute a Court for the hearing of English appeals; but in the present state of matters we very much prefer that your Lordships should have acted as you have done, and have kept in the House the power of hearing appeals from Scotland; and it is unanimously admitted that it would not have been a wise policy to have deprived yourselves of the privileges of hearing English appeals, and have retained that privilege for the purpose of Scotch or Irish appeals alone. On that question opinion in Scotland is, I may say, almost unanimous. It is not for us to suggest how these difficulties should be encountered; but after all the statements which have been made, I must say that I very much prefer the proposition of the noble and learned Lord on the Woolsack to any other which has been suggested in previous Bills. It may be true that so far as the jurisdiction of the House in legal matters is concerned, your Lordships have retained but a shadow or phantom of jurisdiction; but even shadows and phantoms are sometimes not without their force. My Lords, the very atmosphere of your Lordships' House is filled with phantoms and shadows of important constitutional principles long established in this country; and although it may be true that the Appeal Court of the future may be the child of the Legislature, it will nevertheless remain the Court of Appeal to the House of Lords, and will continue faithfully to administer justice in the same manner and with the same satisfaction to the people of Scotland as your Lordships have hitherto administered it.

Lord O'HAGAN said, they owed thanks to the noble and learned Lord on the Woolsack for the promptitude and decision with which he had addressed himself to this subject. The reduction of the fees of that House, the place in which it ought to sit for judicial purposes, and other points which had been mentioned in the conversation, might very well be discussed in Committee; and he did not propose at this stage to discuss the merits of a measure, which was a graceful concession to the general opinions and desires of the Three Kingdoms whose highest interests it would so materially affect. It was right in principle and sustained the time-honoured jurisdiction which their Lordships somewhat rashly consented to part with; and the changes proposed would give to this House sitting judicially a permanence, efficiency, and continuity of action such as it never before possessed. All previous authority was in favour of the principle of the Bill. The Reports of the Committees of 1856 and 1872 suggested the practical modifications which it aimed to effect; and he believed the measure was worthy of the acceptance of the House and the approval of the country.

The LORD CHANCELLOR said, that to judge from the number of vacant seats and the tenour of the conversation the Bill was likely to pass without serious opposition, and he was pleased to think it should be so. He thanked his Predecessors on the Woolsack who, still retaining their original views as to the best form of a Supreme Appellate Court, were willing to suggest improvements in this measure, and to accept it as a good one, if its principles must be endorsed. Having on a former occasion explained the principles of the Bill, he would notice only one or two objections which might mislead the public. As to ecclesiastical appeals, the Bill simply embodied a clause which, after great consideration, was passed by this House, and he believed accepted by the other House in a former year—a clause which altered the Clergy Discipline Act, and provided that, while Members of the right rev. Bench might be present during the deliberations of the Judicial Committee of the Privy Council as Assessors in ecclesiastical cases, they should no longer form part of the tribunal; and he had done nothing more than take that provision and apply it to the altered circumstances. There was not, as had been suggested, a power to borrow an indefinite number of Primary Judges to form an Intermediate Court of Appeal. The Act of last year gave power to borrow one Judge from each Common Law Division; but practically it had never been exercised, and he hoped it never would be, beyond the extent of borrowing one Judge from two Divisions at the same time; and in practice there was no invidiousness in making a selection, because it was arranged to take the Judges in rotation according to seniority, unless that arrangement were varied by agreement as a matter of personal convenience. As to the time when the arrangements contemplated by the measure would be realized, that depended upon the time—which he hoped would be considerable—that the four salaried Members of the Judicial Committee would continue to hold office; he could not well anticipate their removal in this Bill, and he must leave the matter to be dealt with by the Government at a future time. He had himself stated that the expense of appeals to the House ought to be considered with a view to their reduction. The fees were so inconsiderable as to contrast favourably with those of any other Court, and the real sources of expense were printing and the fees of counsel attending at the Bar. It was not the case that all that was printed for this House had been printed for the Court below. In many cases the bulk of what was printed for this House had not been printed previously. There were many documents that were not printed for the Court below unless the suitors chose to print them; and although the rule of the Court of Chancery was to print evidence, there was a great deal of evidence in those Courts, as well as in the Common Law Division, that was not printed for those Courts, and was, therefore, printed for the first time for this House. What did his noble and learned Friend propose? That the prints used in the Court below should be used here. What would be the result? There were from 1,000 to 2,000 cases heard in the Primary Courts to one which was appealed to their Lordships' House, and if the suggestion of his noble and learned Friend were adopted, it would lead to a considerable number of extra copies of prints in every case, whether an appeal was brought or not. He agreed that if any expense could be saved in the matter of printing it ought to be saved; but the cardinal point must be attended to, that the whole subject-matter, with the evidence, should be in print. With respect to professional fees, his noble and learned Friend had gone into calculations as to what those fees amounted to. All he could say was they could not, by rule, prevent suitors from giving large fees if they were so inclined. They might say that the losing party should not have entailed on him fees on a larger scale than would fairly recompense business done; and it would be for the Committee to be appointed to consider what rule should be adopted and what limitations should be imposed in that matter. But he owned he was surprised to hear his noble and learned Friend suggest that some enactment should be contained in the Bill with reference to this point. Then, with regard to the place of sitting, he could not conceive why, if they retained the jurisdiction of their Lordships' House, they should not continue to sit in the House of Lords. To remove to another place would destroy one of the elements of the dignity and *prestige* of hearing appeals in that House. As to the building for the Courts of Law, which it was said by his noble and learned Friend was advancing to completion, he should liked to have asked him, if he were now present, whether he considered that there was any room in that building available for such a purpose. He very much doubted whether every possible accommodation was not already fully pre-occupied. He would, however, say this—that just as regarded the question of expense, so also with regard to locality, if this measure received the assent of Parliament he trusted one thing would be done with regard to the House. He could speak from sad experience. There never was anything more inconvenient than the Bar of that House for counsel and those who assisted them, and he trusted, if this measure became law, their Lordships would think it necessary to call for some structural arrangement, in order that counsel might be better accommodated than at present. He thought that could easily be done. His noble and learned Friend (Lord Hatherley) had asked what would be the social *status* of the children of the life Peers. He could only give this answer—No doubt their social *status* would be duly and properly considered. Then he was asked what would happen if a life Peer received a hereditary Peerage? Why, he would not cease to be a Baron, but he would enjoy all the dignities of his hereditary Peerage notwithstanding. The limitations of his life Peerage would not be transferred to his hereditary dignity. Then it was said, if a life Peer resigned, he should cease to be a Peer. He was made, in the first instance, a Peer for life, but his writ of summons to sit and vote would run only for the time he filled his office of Lord of Appeal. His noble and learned Friend had also said that if this Bill became law it would not be the old jurisdiction of their Lordships' House. He, on the other hand, maintained that, not only would it be the old jurisdiction, but the true and primitive jurisdiction of that House.

Motion *agreed to*:—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Friday* the *3rd of March* next.

House adjourned at half past Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 25*th February*, 1876.

MINUTES.]—New Member Sworn—Philip Wroughton, esquire, *for* Berkshire.

Select Committee—Turnpike Acts Continuance, *nominated.*

Supply—*considered in Committee*—Civil Service Estimates — Class II. — *Resolutions* [February 18] *reported.*

Ways and Means—*considered in Committee*——*Resolutions* [February 24] *reported.*

Public Bills — *Ordered* — *First Reading*—Exchequer Bonds (£4,080,000) *; Consolidated Fund (£4,080,000) *; Poor Law Guardians Elections (Ireland) * [88].

Committee—*Report*—Drainage and Improvement of Land (Ireland) Provisional Orders * [71].

RAILWAY ACCIDENTS—THE ROYAL COMMISSION.—QUESTION.

Mr. SAMUELSON asked the President of the Board of Trade, Whether he would suggest to the Chairman of the Royal Commission on Railway Accidents the publication of the Evidence on Accidents in England, without waiting for the close of the inquiry in Ireland?

Sir CHARLES ADDERLEY, in reply, said, he had written to Lord Aberdeen, who was Chairman of the Commission on Railway Accidents, and was now carrying on the inquiry in Ireland, to ask him what his opinion was as to the propriety of publishing the evidence on accidents in England without waiting for the close of the inquiry in Ireland, but he had not yet received an answer. He declined to suggest this course to Lord Aberdeen, because he did not think it expedient to make a partial and incomplete Report.

NAVY—THE TROOP-SHIP "ORONTES." QUESTION.

Mr. PALMER asked the First Lord of the Admiralty, Whether the "Orontes" has been lengthened and repaired under the usual custom of tender and contract based upon Estimates; and, if not, under what arrangements the work had been done, and how much it has cost?

Mr. HUNT, in reply, said, the *Orontes* had been lengthened and had had new engines put into her under the usual custom as mentioned by the hon. Member, and the cost had been £66,500—namely, lengthening the ship 50 feet, £33,000, and cost of new compound engines, and placing them on board, £33,500. In addition there had been other alterations under a schedule of prices approved by the Admiralty, the cost of which had been £53,500.

MUNICIPAL PRIVILEGES BILL AND THE BOARD OF WORKS (IRELAND) —SIGNATURE OF PETITIONS. QUESTION.

Mr. BUTT asked the Chief Secretary for Ireland, Whether it is true that an official of the Board of Works has presented to the clerks of that establishment, while engaged in their offices, a petition for signature against the Municipal Privileges Bill; and, if so, whether this has been done with the sanction of the Commissioners or the Government?

SIR MICHAEL HICKS-BEACH: Sir, I am informed by the Commissioners of Public Works that they find on inquiry that a Petition for signature against the Municipal Privileges Bill was brought into the office of the architect of their Department by a private gentleman, handed to the architect, and, having been signed by him, was handed to other members of the architect's staff, who also signed it. The members of the staff in the other branches of the Department deny any knowledge of the matter. The Commissioners themselves were entirely ignorant of it until they saw the Notice of the hon. and learned Member's Question; and I need hardly add that it was not sanctioned either by the Commissioners or by the Government.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

OUR MILITARY FORCES.

RESOLUTION.

MR. J. HOLMS, in rising to call attention to the state of our Military Forces; and to move—

> "That, in the opinion of this House, the present condition of the British Army is most unsatisfactory, and its cost extravagant; that our present practice of retaining men in barracks for Home Service longer than is necessary to make them efficient and thorough soldiers is vicious and immoral; and that, having regard to the efficient defence of the Country, it is inexpedient to maintain two rival paid forces in the United Kingdom,"

said, that the present unsatisfactory condition of the Army, and the probable announcement of another great scheme of Army Organization being made to Parliament, had induced him to submit to the House two plain and simple propositions which indicated a definite policy in relation to our Military Forces, that would, in his opinion, bring our Army into harmony with our present requirements and modern ideas. The discussion of them, moreover, would, he thought, promote a due appreciation of any measure which Her Majesty's Government might have to submit. The two propositions to which he would call attention were such as the people at large would perfectly understand. He had submitted them to various large constituencies throughout the country, every one of which gave them a unanimous and most hearty support. These propositions were, that our present practice of retaining men in barracks for Home Service longer than was necessary to make them efficient and thorough soldiers was vicious and immoral; and that, having regard to the efficient defence of the country, it was inexpedient to maintain two rival paid Forces in the United Kingdom. He would first advert to the second point before dealing with the other. In spite of all the money we might expend upon our Military Forces, the inefficiency and waste which we at present witnessed would continue until, like reasonable people, we put an end to that unseemly rivalry which was carried on with almost unexampled vigour between the recruiting sergeants of the Militia and the recruiting sergeants of the Line. At the present moment the Army was starving for men, and in India, unfortunately, the Army was recruited by too many boys, yet the recruiting sergeants of the Militia were encouraged to enlist every possible man in the country, and they had the advantage of offering an extra bounty of 10*s*. to every recruit they obtained, whilst the recruiting sergeants for the Line could offer no bounty. He did not impute blame to the men or the officers of the Militia, but he complained of the system, which was at once demoralizing and costly. He believed that many hon. Members of the House were not acquainted with the exact state of the Militia. Speaking of the relative conditions of our Army and our Militia, he maintained that if the former was discontented and wanting in discipline, it was superior in both respects to the latter. With regard to recruiting and training, some doubt had been thrown on his figures out-of-doors, but the objections to them had been made in so general a way, that he had no opportunity of correcting them if they were erroneous, which, however, he did not admit. Still, in dealing with a question so large and so full of detail, it was almost impossible for any man, however careful, not at times to be misled; and, if the figures he adduced could be shown to be inaccurate, he would be glad to be corrected.

Those which he was about to quote were derived from official sources. In November, 1870, certain questions were sent to the commanding officers of Militia in the United Kingdom, with the view of securing accurate information, and one of them related to the number of recruits they then obtained annually. He took the average in Great Britain only during the three or four years previous to 1870, because the recruiting and training in Ireland were in those years both irregular. Previous to 1870, then, in Great Britain the average number of those recruits was 16,290 each year. The number of privates who came up for training, according to the War Office Returns in March, 1870, was 69,995. Taking the four years after 1870—namely, 1871-2-3-4, the number of recruits obtained on the average was 21,030; and the number of privates who attended training in 1874 was 63,857. Therefore, while the recruits obtained after 1870 were 4,700 more than they were before 1870, the number of men who came up for training was 6,000 fewer as compared with previous years. In 1872, the measure for the localization of the Forces was passed with a clear understanding that it was expressly to benefit the Militia. The desertions from the Militia, taking the years 1869 and 1874, showed a marked and extraordinary increase. The figures he would use were for the United Kingdom. The number of deserters advertized for in 1869 was 3,836; in 1874 it was 10,500; and that number was not diminishing, for in 1875 it was 10,800. Of the 63,857 men who appeared for training in 1874, 22,000 were from the Militia Reserve—a force not quite so shifting as the Regular Militia, being engaged for five years at an annual retaining fee. So that 42,000 was the whole outcome of the 21,000 recruits they obtained annually for the Militia. When they remembered that so large a proportion of the Militia officers as three-fourths were amateurs, unacquainted with military affairs, how could it be expected that the men to be led and instructed by them should have the same confidence in them as in officers who had been made well acquainted with military training? No doubt, some of the men who joined the Militia would not join the Regular Army, but the great mass would do so, for it should be remembered that during the Crimean War 71,000 men volunteered from the Militia for the Regular Army, and, further, during the only time this century when recruiting for the Militia ceased—in 1807, under Mr. Wyndham's Act—the result was highly satisfactory. The Duke of Cambridge stated in June, 1866, before the Royal Commission on Recruiting, that the moment they recruited for the Militia as they did for the Line, there was no doubt that the Militia interfered to a great extent with the Army, because many a man who now enlisted for the Militia would go into the Army. The Militia, then, was not a "feeder" for the Army, but exactly the reverse. He now came to his second proposition—namely, that the present practice of retaining men in barracks longer than was required to make them efficient soldiers was vicious and immoral. We now kept Infantry soldiers at least six years in barracks, and the Cavalry and Artillery eight years. We took recruits from 15 and upwards, when they were incapable of hard drill until they had been fed and nursed for two or three years. The late Lord Raglan had expressed a very strong opinion upon the subject. They were paying for the feeding and clothing of these recruits for six or eight years, when, under a sound system, they need only keep them two years in barracks. If they got a good recruit at 20, he ought to make a good soldier in less than two years; but the fact was, as he had said, that they kept him there for six or eight years instead of two, a system productive of idleness and mischief, it being patent to all that a long barrack life was pernicious. The best trained troops in Europe were not kept more than two years in barracks, and would any one say that it was necessary for the defence of the country that they should have soldiers trained better than the best troops in Europe? Was it necessary to have such men to fight the Maories in New Zealand, the Ashantees in West Africa, or the Kaffirs at the Cape? It might be said that the British officer could not turn out a good soldier in two years with the present material, and perhaps he could not: but with good material why could he not do so as quickly and as well as the Prussian officer now did? He had lately received two letters from military men on this question. One of them, who had served eight years, partly in India, said he had long been of opinion that our Army was a very costly and exceedingly antiquated machine, and on the whole he was pretty sure that 14 months of continuous training at high pressure would make an Englishman a thorough Infantry soldier as to the drill and the use of his weapon; while the Cavalry and the Artillery would require a somewhat longer training. He (Mr. Holms), however, did not think that quite so high pressure was necessary. The other correspondent, who had been connected with the Army in the Crimea, said officers took little or no part in the real teaching of the men—which in Prussia was considered of great importance—their time being mostly taken up with a number of trivial duties which had nothing to do with their proper business of fighting. Now, he had no doubt English officers, if we gave them the opportunity and the materials, would turn out as many and as good soldiers as any other officers in Europe. He was not arguing on a mere theory; the superiority of the Prussian system of administration was practically demonstrated. For every 10,000 men that Prussia obtained annually, she had at the end of seven years an accumulated force of 60,000 between 20 and 27 years of age, and at the end of 12 years 90,000 between 20 and 32 years of age; and during the whole of that time there were never more than from 18,000 to 20,000 privates in barracks at once. The principle of the Prussian system was accumulation, while that of ours was dispersion. The Prussians taking 100,000 recruits a-year, or just double the number of men per year that we raised for the Army and the Militia, were able to bring 940,000 into the field in the Franco-German War. In the four years—1871-2-3 and 4—we had obtained 197,000 men. He ventured to say that only three-fourths of that number, taken under a proper system of administration, would have given us a much larger and better Force than we now had. In Prussia, where conscription prevailed, everything possible was done to reduce the evils of barrack life, and why in England should we not make similar efforts in that direction? Our system in respect of morality was as barbarous as it could well be. The House ought to regard the interests of the private soldier a little more than it did. We should hear in that House any number of propositions for the social improvement of the people, and that it was a sacred duty of the State to do all it could to advance the moral well-being of society; but attention ought to be directed to the moral condition of our Army, which was hourly corrupting our people, and was a standing reproach to the country. We were at the present moment keeping 80,000 or 90,000 men in enforced celibacy in barracks, while by letting our men go home at the end of two years we need never have more than 40,000 or 50,000 men in barracks at one time. As to the demoralizing effects of long subjection to the present barrack system with respect to married soldiers, they had ample evidence in the letters which had appeared in the newspapers, including letters from officers at Aldershot and other military stations. They saw the actual operation of the system, and when three or four married families had to use and live in one common room, without any separation, it was impossible that even the commonest decencies of life could be observed—the result must be of a depraving character. A major, writing from Aldershot, gave his experience on this point, and said the whole of the scandal might be removed by giving each married non-commissioned officer and his wife and family separate lodgings at 3*s.* 6*d.* a-week. The Secretary of State for War, while interposing in the matter, had admitted the evils of the present system, but did not indicate any clear remedy for them in this civilized and Christian country. The present Government was expressly pledged to promote the social and moral progress of the people, and that progress, he would remind them, depended even more upon moral than upon material conditions. With regard to the short service he advocated, he would, no doubt, be told that it was incompatible with our Indian and foreign requirements; but the more that objection was examined, the more fallacious it would be found to be. Both as regarded going out and coming home, the truth was that the present system was most hurtful both to the Home and the Foreign Service. Battalions going to India were frequently composed of men who were too young or too old to go there, and many of the men who came home from India were so enervated as to be incapable of the hard work that was required of them in this country. Under our present system of neither short nor long service, every now and then it would be found that a battalion had a great number of men whose term of service was within a year or two of being run out, and that it would not pay to send them to India, so that a large proportion of the whole must be kept at home. What we should do was, to give up the practice of sending men abroad in time of peace and give the men their choice of Home or Foreign service. This course would greatly improve the character of the recruits offering, and would not in the least degree interfere with the service. If there was not the liability to be sent abroad at any moment, many would enlist under the short reserve period he proposed, and pass into the Reserve if they did not feel fitted for, or desirous of, service abroad. Many would also, who wished for adventurous life, volunteer for foreign service, and the result would be that soldiers would be found ready to go abroad to India, or the Colonies, without forcing unwilling or unfit men. Sir John Burgoyne in 1869 said—

> "One great difficulty in enlistment for a short period is that it is quite incompatible with the East India and Colonial service, but, perhaps, it might be met by enlisting men expressly for that service. Such a system would perhaps also tend to induce many a valuable recruit to enter the service."

Many working men, indeed, had told him that, no matter what price was offered, they would have nothing to do with military service so long as they were subject to be sent anywhere in time of peace. He had been told that one half of the desertions arose from the circumstance of there being no choice of service, and at the present time there was a man suffering imprisonment with hard labour who deserted because his regiment was not going to India. He enlisted for the purpose of going to India; he was not permitted to exchange, and so he deserted from his own regiment, but re-enlisted, and was sent to a regiment that was about to go to India, but he was apprehended as a deserter, and was suffering hard labour really because he wished to choose his service, thus showing that the theory and practice of exchanges were not understood in the case of the common soldier. On the other hand, men were sent to India who did not wish to go. He recently received a letter from one of his constituents, who complained that his son, having been enlisted at the age of 14 years and 11 months, was about to be sent to India at the age of 15 years and 8 months, and that he had vainly tried to obtain his discharge. The recruiting sergeant, according to the boy, had told him not to give his proper age. It was true that this was a one-sided statement, and that from inquiries he had made at the War Office it appeared the sergeant denied the boy's story; but the case illustrated the evil side of the present system of foreign service. He had had some correspondence with the War Office on the matter, and they said they would get this youth back from India. The father offered to pay £30 to get his son off, but this was refused, it being said that the lad could be bought off in India. The father of this lad had another son in the Army, who was enlisted at the age of 14, and taken out to India under 17. "But," said the letter he had from the boy's father, "I need not trouble you about him, as his health is so broken down that he is coming home." In 1871 an opinion was expressed by that House, on the Motion of the hon. Member for Finsbury (Mr. W. M. Torrens), that no soldier should be sent to India under 20 years of age, "if practicable," the two latter words being added at the suggestion of the Minister for War; but, as he had shown, very young men were still sent out, and some who were unwilling to go. Previous to our taking over India, out of 20,000 soldiers sent between 1850 and 1858, only four were under 18 years of age, and these four were discovered to be band boys for the Governor of Bombay. This was a question of great importance to India as well as to ourselves. The Army in India cost no less than £16,000,000 a-year, and he contended that it stood more in need of reform than our Army at home. It was time to think not only how a reduction of expenditure could be made, but how our ranks could be better filled, and he regretted to learn from some remarks of the right hon. Gentleman the Secretary of State for War the other day, that the time was yet far distant when that might be expected. If they did not choose to look at the condition of the Army in India, he could assure the House that the people of India were looking at and speaking and writing about it, in proof of which he would quote from an article in *The Bombay Gazette* of October 25 last year, stating that the interests of military and civil wire-pullers in England were opposed to the formation of a local Army for India, the result being that India had boys for soldiers, who were buried by thousands, when she ought to have men. That showed the subject was not escaping notice in India. He was not in favour of a local army; but unless some reforms were instituted he, for one, was prepared to vote for it in preference to the present system. What, however, he said was that there should be a choice of service. He thought the present system was eminently dishonest towards India. If India was to be recruited for by our War Office, we ought to give up recruiting for the Militia; or, if not, allow India to recruit for herself. He believed the Indian and Colonial Military Service might be made the most attractive the world ever saw by giving the soldiers some change, as was given, for example, to telegraph clerks. A gentleman connected with a Telegraph Company informed him that it had been found that five years in India was as much as could be imposed on a clerk having regard to his health, and that clerks were changed from India to Gibraltar, Malta, and Ceylon, thus giving them a choice of service which made it attractive to them. As to the Indian Army, its position had been greatly changed since the Mutiny. Before that, the proportion of English troops to the Native Army was 42,000, as against 268,000; whereas now there were 60,000 English to 120,000 Native soldiers. The question arose, how they were to get their men? They should get them much in the same way as Cromwell got his men. His army was composed upon what he called "his new model." Cromwell said—"I want good soldiers and good men—honest, sober Christians, who expect to be used like men." Cromwell gave fair pay, but placed treatment and terms before everything. They might raise their pay as much as they liked; until they changed their treatment and their terms, it was all no use. In Cromwell's time the agricultural labourer was paid 4*s*. a-week, and the artizan 6*s*. a-week; Cromwell offered 7*s*., and he had the choice. They had had many changes in the Army lately, and he thought it had become worse and worse. They should begin by securing better men by changing the whole system, and by increased pay, and if they carried out the plan he proposed, they would not have so many men in barracks as they had at present. As to the cost of obtaining men, any hon. Member could calculate it for himself; but if they had 40,000 or 50,000 less men in barracks, the saving in food, clothing, and pay would be considerable. There would be a saving of £1,200,000 in the abolition of the Militia, and there would be a great reduction in the cost of hospitals and prisons, and in the amount paid in pensions. Taking into account all these reductions on the existing expenditure, if they gave to the soldier pay equal to what they paid the police or the commoner class of railway servants, he believed they would have a large profit on the present system. He wished, in the next place, to say a few words with respect to the Amendment which the hon. and gallant General opposite (General Shute) was about to propose. From its wording one might suppose that our barracks were most admirable schools of discipline and morality, and that "sweetness and light" at once descended on any bad character who might enter them. Facts, however, he thought, proved that such an idea was delusive; for at the very moment the hon. and gallant Member was handing in his Notice of Amendment the Inspector General of Military Prisons was giving in his Report for 1874. It appeared from this Report that whilst the average number of our Army at home was 93,000, there were during 1874 no fewer than 9,114 sentences by courts martial, and minor punishments by commanding officers to the amount of 162,484. If reform did not come after all these punishments it was very remarkable; but it would appear there were still some incorrigible characters in the Army, although he found by the Report that in six years 10,525 men had been discharged as bad characters; under these circumstances, it could, in his opinion, hardly be fairly contested that the barracks of the United Kingdom were good schools of morality and discipline. The hon. and gallant General, he might add, went on to state that the fact of our having varied forces tended to utilize for military service a larger proportion of the population than would otherwise be found available, but he had entirely left out of sight the Reserve, which was the force to which the nations of Europe were mainly looking to year after year. He was quite prepared to agree with the hon. and gallant Gentleman if the Militia were left out of the List, and the Reserve put in their place. In conclusion, he could only thank the House for the patience it had shown in listening to him, and would move the Resolution which stood upon the Paper in his name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the present condition of the British Army is most unsatisfactory, and its cost extravagant; that our present practice of retaining men in barracks for Home Service longer than is necessary to make them efficient and thorough soldiers is vicious and immoral; and that, having regard to the efficient defence of the Country, it is inexpedient to maintain two rival paid forces in the United Kingdom,"—(*Mr. John Holms,*)

—instead thereof.

General SHUTE, who had the following Amendment on the Paper, which the Forms of the House prevented him from moving—namely,

"That, in the opinion of this House, the admirable regimental discipline carried out in the barracks of the United Kingdom has tended to reform the intemperate and immoral habits of any bad characters who may have been occasionally recruited for the Army; and that in this country, where military service is entirely voluntary, the fact of having varied descriptions of force, such as the Regular Army, Militia, Volunteers, and Yeomanry Cavalry, tends to utilise for military service a larger portion of the population than would be otherwise available,"

said, that so far as he could understand from the speech of the hon. Gentleman, his desires were to see maintained a very small and expensive, and, therefore, as he argued, a very good, Army. He (General Shute) thought, however, that he should be able to show that any additional money which the country might be disposed to incur in that direction could be better laid out than in the way which had been suggested by the hon. Gentleman, who proposed to dispense with the oldest and most constitutional force we had, and that which was the very basis of our military system—the Militia. That was a policy which, he felt assured, the House would never sanction; for although the Militia in some degree interfered with the recruiting market, yet in cases of emergency the Army was fed from that force. It was said that Wellington in his last campaign in Belgium fought with young men, and fought well. It was true it was a young Army as regarded soldiers, but not as to men; because they were drawn from the Militia, and in a great measure Waterloo was won by Militia soldiers. Into the question of recruiting he would not on the present occasion enter, because he thought the Resolution was premature; and, besides, he hoped to hear the views of his right hon. Friend the Secretary of State for War upon it when he brought forward the Army Estimates. He had given Notice of the Amendment which, by the Forms of the House, he was precluded from moving, chiefly because he did not think it advisable that the extreme terms of the Resolution which had just been laid before the House should remain unchallenged. In that Resolution it was implied that our barracks were schools of vice and immorality, but in making such a statement he could, as an old commanding officer, assure the hon. Member that he was entirely in error. If barrack discipline was in the state the hon. Member for Hackney described, the prejudice of parents against their children enlisting would be fully justified, and police magistrates would be only discharging their duty in reprimanding young men for enlisting, and the owners of concert halls and theatres would do right in preventing non-commissioned officers from occupying reserved seats in their places of amusement. There was no subject in which the commanding officer of a regiment was more interested than in the recruiting of his men and their after conduct. They were not only taught their duty as soldiers, but everything was done to improve their social character, and in a great many cases these endeavours were attended with success. It was too much the fashion of those who had never served in the Regular Army to think that when recruits were brought up before the commanding officer for trivial offences, they were sworn at and punished; but so far from that being the case, it was the invariable rule at first for the colonel to advise them and endeavour to get them out of their bad ways by persuasion and advice before punishing them. He himself remembered when as the result of various alterations which were made at the time, he found that he had in his regiment 120 new men who kept bad hours, and who frequented music-halls and public-houses. He found the reason was that they were led away by their old boon companions in Manchester, where the regiment was quartered, and he therefore sent them in small batches as they were dismissed their drills to Northampton, where a squadron of the regiment was stationed, exchanging them as far as possible with older soldiers who had been enlisted in the South of England, and the result of the change was that so good an effect was produced upon them, that others appealed to him to be sent there out of the way of temptation, and they from being very loose characters had become thoroughly reformed and good soldiers, and therefore he had some doubts as to the success of the localization system recommended by a Committee of clever men, but although it was a regimental matter, not one of them had commanded a regiment. Indeed, a regiment ought, he contended, to be a school of social reform as well as of military discipline. As to the Prussian soldiers, he denied that they had ever been more highly disciplined than the English. He had been at the Prussian Manœuvres three times, and had narrowly watched them, and he must emphatically deny that the discipline was in any way superior to that of the old and present Armies of England. They were, however, very fine men, and were able to march and work well. How long did the hon. Member opposite think it took to make an efficient soldier? The hon. Gentleman was right as regarded drill. Drill, especially foot drill, was, with some intelligent men, a matter of a few weeks, but discipline was a matter of habit, and was not to be acquired in a day. Moreover, discipline was less easily acquired in a free country like England than it was in a despotic country, where the inhabitants were comparatively slaves. In proof of what he said concerning discipline he might refer to the Circular lately issued by the Field Marshal Commanding-in-Chief. That Circular, if justifiable, would never have been necessary in the old days of our long service soldiers. The petty insubordination of which he warned the House last Session had been entirely consequent on youth in the Army. He did not, however, mean to say that he did not advocate short service in some way—except for the Cavalry—because the great desideratum was an effective reserve, and this we could not have without short service. As regarded recruiting, he hoped no theories would induce the House to part with our Militia. We ought rather to endeavour to utilize the various forces we possessed. The Militia might interfere with the recruiting market; but, in an emergency, the Militia would feed the Army. There was an immense number of men who would serve in the Militia, but who would not serve in the Line, and who would therefore be lost to the country for military service in case the Militia were abolished. Again, there were many Volunteers who would not serve in the Militia or in the Line, and it was desirable to retain their services in a military capacity; while, with regard to the Yeomanry Cavalry, there was not a man among them who would serve except as a mounted yeoman. Many people depreciated the Yeomanry Cavalry; but if the recommendations of the Committee of last Session were attended to, it would become a most admirable Force of rifle light Cavalry. The system of short service would cause us to require a vastly increased number of recruits, and therefore the Service ought to be rendered more attractive. In the case of the Army as he had said on a former occasion we must be prepared, either in purse or person, to pay largely, and if the latter course was adopted it must be by a revised Ballot Act, in which the rich and the poor man must be equally treated. With respect to the employment of more money, he would repeat the following suggestions which he made in the House last Session. Increased pay would at first only increase temptation, and the Government would still be outbid in the market by the great employers of labour. Then there must be no uncertainties, for these the men especially detested. A man must not merely have a really free kit and a free ration, but as he became a more practised soldier he must have a considerable increase of pay from year to year, and this had better be reserved pay. This would be done on the principle of paying for skilled labour. Non-commissioned officers should have a decided increase of pay, and a further annual increase up to 12 years' service. Then more fuel and more light should be allowed for barrack rooms, so that the men might have warmth combined with ventilation. When men or non-commissioned officers were allowed to go on furlough they should have full pay, and ration money while absent, and a warrant to go and return free of expense. At present many soldiers returned to their friends as paupers, instead of being examples of the advantages of military service, and from not having money to pay their way back remained absent without leave, and perhaps finally deserted. Another of his suggestions was, that every man who had faithfully served the Queen should at the age of 65 receive a pension of not less than 1*s*. a-day, receiving it one year earlier for every year he had served with credit in the Army, so that if he had served five years he would get it at 60, and so on; for nothing had a more discouraging effect on enlistment than the fact of men who had been soldiers and who were past work being reduced to the workhouse. Last, not least, if we wanted to get recruits of 20 or 21 years of age, the Army must be made a stepping-stone to civil employment. With reference to the choice of quarters, he would suggest that the men should be at liberty to choose their battalions, instead of being obliged to enlist in linked battalions, and thus not knowing whether they would be required to go abroad or serve at home. Desertion was a fraud on the public, and in the United Kingdom it ought to be treated chiefly by the civil magistrate. Soldiers ought no longer to march handcuffed deserters about the country. If, however, the power of the purse should fail, then we must come to the person. Supposing that England were the most despotic country in the world we could not adopt conscription. No doubt it was the duty of every man in case of necessity to defend his hearth and home, but you could not say that he must go to India or garrison our Colonies. However, in case of necessity, we might ballot for the Militia under a revised Ballot Act, the present one being cumbrous, useless, and most unjust. If the Militia did not give its quota to the Line, a Ballot should be taken; but this, of course, would only be done in time of actual warfare. At present, a substitute was easily procured by a rich man, whereas a poor man had no power to obtain one. The true principle was, that he who possessed most wealth should contribute most in some form or other to the defence of the country. In conclusion, for the sake of recruiting if not from higher motives, he would appeal to hon. Members not to speak in disparaging terms of an Army which, in cases of emergency, had ever served the country gallantly and well.

SIR RICHARD GILPIN said, that a large number of men who entered the Militia had never any intention of going into the Regular Service. There were also men who joined the Volunteers without any view of entering the Army, but who took a liking to soldiering and afterwards went into the Line. The hon. Gentleman opposite the Member for Hackney had been stumping the country as a great military reformer; but when he undertook to enlighten public opinion he should be careful as to his language and accurate as to his facts. The hon. Gentleman had declared that the Militia was a gigantic sham and a toy for country gentlemen. Now, the Duke of Wellington, speaking upon the Militia Bill in the other House, testified to the value of Militia regiments in the Great War, and declared that they were as fit for service and in as high a state of discipline as any he ever saw in his life, even among Her Majesty's troops. The Duke of Wellington had Militia regiments volunteering bodily for the field. During the Crimean War, from January 1, 1854, to December 31, 1858, the number of volunteers from the Militia into the Regular Service was nearly 40,000, while several Militia regiments volunteered for foreign service, and thus released our Mediterranean garrisons for service in the field. No man did more to convert the raw material of the Militia into the manufactured article than General Knollys, and when examined before the Royal Commission respecting the general efficiency of the Militia regiments as to drill and conduct in camp, he stated that they were in as high a state of efficiency as it was possible for Militia regiments to be, and were as good as they could be both as to efficiency and conduct. This was the service which the hon. Gentleman called a gigantic sham, while the officers, he said, were military amateurs. Now, when men did not know much of a profession, they were called quacks. He did not use the word offensively or apply it to the hon. Member alone, but to others who fancied they knew a great deal about a Service to which they had never belonged, and about which they really knew little. Within the last few years, whether for good or for evil, our Service had been revolutionized, and, having spent a large sum upon the alteration, we were compelled to give it a fair trial. He hoped that the right hon. Gentleman the Secretary of State for War would consider only what was most for the advantage of the Service, and would not adopt the nostrums of these gentlemen, for if he did he would certainly destroy the patient.

MR. PEASE said, he wished to comment on the assertion of the hon. and gallant Member for Brighton (General Shute) that regimental discipline had tended to reform the immoral habits of many bad characters. For his own part, he saw nothing in the Returns which had been placed in their hands within the last few days which bore out that allegation. That Return showed that on an average, there were 186,000 men in the Army, of these 161,000 men were rank and file. That was the average during the year 1874; of this number there were men of whom any country might be proud. The Returns showed that the men who had good-conduct badges or medals were no fewer than 88,227 men, leaving 72,000 rank and file who had not received good conduct badges, or medals, or gratuities. What was the condition of the rank and file of those 72,000 men? He perfectly agreed with the hon. and gallant Member for Brighton, who said that the officers for many years past had been devoting a great deal of time to their men, and that the Army and the country had a great deal to thank the officers for in supplying the wants and necessities of the men, and adding to the comforts of their families. But what he was going to say was this—that in spite of all this there were 72,000 men who were not classed as good-conduct men. Of the 72,000 men, 19,900 had been before a Court-martial; 11,000 men, or 16 per cent had been actually in prison; and they had had 1,800 degraded from the ranks. Therefore, 27 per cent of these 72,000 men had been tried before a Court-martial, and they had had in this state of the Army 11,000 imprisoned, or 16 per cent. Then, again, of these 72,000 men they had 24,000 of them fined for being drunk, or 44 per cent; and 49,700 fines for being drunk had been levied on 24,000 men, or, on the average, each man was fined twice for being drunk in the course of the year. It therefore appeared that one-third of the non good-conduct men had been fined for being drunk. Then they had got 255,000 minor offences, but many of these were very trivial, and he was sorry that they should have appeared in the Returns to give an exaggerated idea of the want of discipline. In 1871, there were 35,000 men fined for being drunk; in 1872, there were 26,000 men; in 1873, there were 23,000 men; and in 1874, there were 24,000 men. He did not see how the House could go with his hon. and gallant Friend in saying that the morals could be improved by barrack life. Of the 17,000 men who joined in 1872, 4,500 had deserted, or 19 per cent; in 1873, 33 per cent deserted; and in 1874, 27 per cent. Out of the 30,000 men who had enlisted during 1874, only 20,000 men had passed into the lines. That showed the class of recruits, when one-third of the men who offered themselves for enlistment were wanting in those physical qualities to fit them for entrance into the ranks. Then, out of the 30,000 men 2,500 had paid "smart" money, or one guinea, in order that they might get away from the Army, into which they had been entrapped or led into unawares by the persuasions of recruiting officers. His hon. Friend the Member for Hackney (Mr. J. Holms) was perfectly justified when he said that the condition of the Army was most unsatisfactory. What was the reason of this condition of the Army? He had endeavoured once or twice to urge that they were keeping up large armies in time of peace, when there was no inducement to men to join, as a man must join the Army for two reasons—for patriotism or for a living. In time of peace patriotism could not be the inducement. If they expected a man to join for the sake of a living, then the pay was quite insufficient. But the country was not prepared to keep a large and extravagant Army, and they were driven to the necessity of getting men for the national defence, or to be sent abroad who were not such as could be relied upon. They recruited from a low class of the population, and when they got them they were put into barracks, and those barracks were the centre, not of virtue and innocence, but of immorality and crime. The statements in the Blue Book showed that the condition of these men was most deplorable, and hon. Members could see every night as they left the House of Commons that the barracks were far from being a place where men were likely to improve their morals. With regard to that branch of the Service which the hon. and gallant Member for Bedfordshire (Sir Richard Gilpin) had so often taken up the cudgels for—namely, the Militia, he had to say that so far as the majority of the Militia regiments were concerned, that he believed that they suffered most from being let loose in towns. He knew that there were some very distinguished exceptions; but in many places where they went to the time of their being quartered there was a time which the decent inhabitants looked forward to with dread, and the breaking up of the regiments made the place "a perfect hell upon earth." This was a phrase he had heard made use of many times in reference to the Militia, or he should not have used it. The Army was in an unsatisfactory condition, and no hon. Member could assert the contrary with any truth. He knew that his right hon. Friend the Secretary for War was desirous of freeing the Army from these faults and vices, but they knew the difficulties with which he had to deal. His own opinion was, that the system must be utterly wrong which produced such a state of things. He laid these facts and figures before the House in the hope that they might lead to something being done in this matter to produce a more satisfactory state of things.

Sir WALTER BARTTELOT said, that both the House and the country were indebted to the hon. Member for Hackney (Mr. J. Holms) for having brought this Motion forward at the present time. He did not concur in the suggestion which had been made that the hon. Member should have waited until after the Army Estimates had been introduced; because, had he done so, he would not have had the same fair opportunity of stating his opinions on the subject, which he conscientiously believed to be correct ones. He could not say that he concurred in the statement of the hon. Member that the people throughout the country adopted his views; it was the general rule that meetings passed all the resolutions which were submitted to them. He was bound to tell the hon. Member that he had failed to make out his case in two material points—in the first place, he had failed to show that the Army, although perhaps not exactly in the condition it ought to be in, imperatively needed the particular changes in its constitution proposed by him; and, secondly, he failed to show that the country was prepared to abolish the old constitutional force of the Militia, which had rendered such service in times gone by. The hon. Member relied mainly on two points—that to keep men for home service in barracks longer than was necessary was a bad and immoral principle, and that it was inexpedient to maintain two rival Forces in the United Kingdom. But when the hon. Member attacked our present Army system, he should remember that that system was just now in a transition state, and we must wait to see what effect those reforms so lately introduced would have upon our system. The right hon. Gentleman the Secretary of State for War, had, with the fairness that distinguished him, endeavoured to carry into effect the new system introduced by his Predecessor, and he believed that the right hon. Gentleman was even going a step beyond the lines that had been laid down for his guidance. For his own part, although he had originally opposed many of the proposals which had been carried out, he felt bound to bow to the decision of the majority, and he should now do his best to facilitate the reforms so determined upon being carried out in the Army. The right hon. Gentleman, acting upon a similar principle, was doing much to ameliorate and to better the condition of the Army. If he rightly understood the new Army Estimates, the right hon. Gentleman was going to increase the pay of the non-commissioned officers, who were the main support of the Army, and to give deferred pay to the men, so that when they left the service they would have a little money wherewith to start in life. The hon. Member for South Durham (Mr. Pease) had, in the first place, demanded increased pay for the men, and had then proceeded to complain of the increase of drunkenness in the Army. The conclusion at which he (Sir Walter Barttelot) had arrived was that, while it was desirable that the pay of the soldier should be increased, it would be most mischievous to give him increased pay while he was soldiering, and therefore the best form in which he could receive it was in that of deferred pay. The right hon. Gentleman was moving on in these lines, and therefore he must to a certain extent be satisfying the hon. Member for Hackney. Another and a very important proposal which the right hon. Gentleman was going to bring forward was to increase the force of the regiments ready to embark for foreign service. He would ask the hon. Member for Hackney, who was so anxious to have a very small number of men in our barracks, what would happen if the men who formed the Army of Reserve were not forthcoming in the hour of danger and emergency, if we had not a certain number of regiments ready to go to any part of the world at a moment's notice. The hon. Member for Hackney was most anxious that we should have an Army formed of a superior class of men, who would be free from the restrictions that were imposed upon soldiers. On that subject he could do no better than refer the hon. Member to the letters written by Archdeacon Wright, one of the Chaplains to the Forces, setting forth the grievances of the soldiers, which were well worth the serious consideration of the Secretary for War. The hon. Member thought men should not be enlisted unless they were of a certain age—20 he believed was the hon. Member's favourite age; and a very distinguished authority—a gallant Lord who had seen much service and had written a most able article in a Review—said that men should not be enlisted until they were 21; that they should learn a trade first, and then go into the Army; and, having served their proper time in the Army, should then return to their trade. That was a point which he (Sir Walter Barttelot) wished to be argued in the House of Commons, because that was a place in which opinions could be expressed as to the effect of such a proposal. He served 14 or 15 years in the Army, and he knew well what class of recruits came during that time. He had turned his attention for the many years he had been in that House to Army matters, and he ventured to assert that if we said no man should be received in the Army till he was 21, we should signally fail to get any recruits whatever. His firm belief was, that when a man was once established in a business or a trade he would not give up that trade or business for the small pay and allowances that were got in the Army. Could it be thought that a man who had been his own master till he came of age would be able to learn that discipline which was so essential and which had never failed in the Army in whatever situation it was placed? He hoped that the Resolution to which the House had come, that soldiers should not be sent to India until they were at least 20 years of age, would be strictly carried out; but in this country younger men must be accepted, or the House must be prepared to pay for the Army an amount which the country would never sanction. The hon. Member said that a man should be at liberty to choose whether he would serve in India or in England, and that the men should be able to exchange from one regiment to another, just as the officers did. He (Sir Walter Barttelot) had not the slightest objection to such choice being given; but he had every objection to a soldier, after he had joined one battalion, and went to a place and found he disliked it, being at liberty to get himself transferred to some other place which he thought he might like better. To go beyond giving a man his choice to serve at home or abroad would be detrimental to the interests of the Army. We heard some time ago of dual government in the Army. That was discussed in the House, which was not content till it had established the Secretary of State for War as supreme with regard to the Army at home. Why should not the Secretary of State for War be supreme also with regard to the Indian Army, instead of having to refer everything to the Secretary of State for India, when often between the two authorities great injustice was done to the soldier? Nor had he altered his opinion that it would be better in the interests of the Army that troops should be sent to India for five or six years, instead of being kept there so long as 12 years. That arrangement would preserve the *esprit de corps* of the Army in India, and it could be more easily carried out, now that we had got the Suez Canal. As to the present condition of the Army, he observed, by a recent Return, that it was only 425 below its Establishment strength, taking all the services. The Cavalry were 474 above their Establishment strength, the Infantry of the Line 928 above, the Artillery 1,000 below, and the Foot Guards 400 below their Establishment strength; notwithstanding the difficulty of recruiting, especially for the Foot Guards and the Artillery, occasioned by the use of large guns, which required taller and bigger men than formerly to handle them. With reference to the Militia, if that Force were abolished one of the main sources of recruiting would be abolished with it. There were a class of men that would not in the first instance go into the Army, but would go into the Militia. The Returns from the Depôt Centres showed how largely the Army was recruited from the Militia. From one of the Depot Centres between June, 1873—when it was established—and December, 1875, 661 recruits were passed. 423 of those men were enlisted on the spot, and 238 came from the Militia. That showed that the Militia was doing its work with regard to the recruiting of the Army. He did not agree with what fell from his hon. and gallant Friend the Member for Brighton (General Shute) about the Ballot. We were not prepared for the Ballot. The noble and gallant Lord who wished to send men to India, at the age of 21 was in favour of the Ballot. He (Sir Walter Barttelot) was bound to say that, unless some extraordinary circumstance arose, he believed that neither that House nor the country would in any way support the Ballot. In case of necessity, our soldiers should be liable to serve at home or abroad. He exceedingly regretted not to see in his place a noble Lord who strongly advocated the Ballot for the Militia. But in advocating that he said, "Let the Volunteers no longer receive anything from the State." The noble Lord knew perfectly well that if we had the Ballot for the Militia, and continued to pay the expenses of the Volunteers, it would be as in the olden times—every one would go into the Volunteers. That would not do. He wished to make a remark with regard to the return to this country of men in the Indian service. The country had recently manifested great interest on behalf of slaves, but it was not equally excited in the interest of men who had served it in all parts of the world. It was discreditable to this country that the reliefs from India were so badly treated. Some of them absolutely died from the way in which they were dealt with when they arrived at home. They had heard lately of the chain of military posts which we possessed in Malta, Gibraltar, and elsewhere, and he thought that if men coming from a hot climate were stationed for a time in those places, something might be done to prevent their catching those diseases which they now often suffered from when they came home. He was sure the Secretary of State for War would not neglect a matter of that kind, when the interests of the English soldier were at stake. He would only add that he was satisfied the right hon. Gentleman would do his best, as he was bound to do, not to increase the expenditure on the Army, for that expenditure, as they knew, was extremely heavy, although it was an insurance and the price this rich country paid for that which was the greatest blessing in the world — an Army voluntarily enlisted; and also to see that our Army, though costly, was yet effective, and ready to be used whenever necessary. Prussia—to which the hon. Member for Hackney had referred —was suffering from the loss of strength she had sustained and from the emigration resulting from that compulsory service which her sons would not stand; and he asked this free country whether it was not worth while paying any amount of money to keep ourselves out of such a difficulty as that.

CAPTAIN W. E. PRICE said, that in none of his speeches and writings on the subject had the hon. Member for Hackney (Mr. J. Holms) alluded to the Landwehr in the Prussian Army, although he had described at some length the German military system generally. The hon. Member seemed to have forgotten that the Landwehr was not a Reserve at all, but an auxiliary force like our Militia. The Militia was well suited to the country, and recent experience had shown the value of a military system, combining an Army, a Reserve, a Militia, and Auxiliary Forces, and he believed that it would be a great mistake to attempt to upset it, and to substitute for it merely a local Army, instead of endeavouring to improve it as much as possible. He knew that many men joined the Militia because, as they said, it was the cheapest method of getting change of air and healthy exercise. He admitted that it was not as perfect as it might be, but it could be made so easily and cheaply.

COLONEL EGERTON LEIGH said, the hon. Member for Hackney (Mr. J. Holms) had not thrown much light on the subject before the House. What the hon. Member's proposals were likely to produce was a maximum of expense and a minimum of efficiency. If his plans were adopted, the effect would be that they would either have no Army at all, or an Army so costly that everybody would cry out against it. The scheme of the hon. Member, who had studied the subject as a civilian, and not as a soldier looked at it, reminded one of the old saying that old maids' children and bachelors' wives were perfection. He (Colonel Leigh) was entirely opposed to the Ballot. Our Army was the only one in Europe that was kept up entirely by voluntary enlistment, and the introduction of the Ballot would be utterly opposed to English feeling. The French proverb "You cannot make omelettes without breaking eggs" was applicable to the point. If you wanted soldiers, you must pay for them. Good pay would make the Army attractive. If we were attacked the chances were we should have something better than the Ballot—namely, the universal rising of an enormous number of men who knew something about military duties from having been in the Army, the Militia, and the Volunteers. One admirable measure that loomed very near was an increase of the pay of the non-commissioned officers—a most deserving class of men, who were now very inadequately rewarded. He would go further, and add pensions to those non-commissioned officers who had served a certain number of years. With regard to the Militiamen, they supplied many to the Regular Army, and many of them volunteered for the Crimean War, and fought well there. He hoped that body would not be destroyed, but that it would be improved. He remembered an old Militiaman coming to re-enlist, who, in answer to his question why he wished to join again, said soldiering was good for his health, and that he did not get drunk more than once a month while in the service. He would admit, however, that some men joined who did not show a taste for the occupation. It was quite news to him that boys were sent to India. The old plan he remembered was, that every man underwent inspection by the surgeon, and unless he was found quite sound in wind and fit for a hot climate, he was not allowed to go to India. Barracks in India had been put in wrong places, and due care had not been taken of the health of the troops. He had seen the Army improved in regard to officers, men, and every arrangement since he joined as a boy, although when he then joined things were thought to be perfect. They were still improving in every sort of way; and, whatever Government was in, the head of the Army never neglected it. If a mistake was made it arose from chance, not from wilfulness. As to the suggestion that regiments should be brought home from India complete in five years, it should be remembered that many men got accustomed to India and their constitutions adapted to its climate; and such men were worth a dozen soldiers whom they might send out. The hon. Member for Hackney asked why the Government of the country kept up so large a standing Army, and the answer was, we could not do otherwise. Our business was to look carefully at every expense incurred for the Army, but never to treat it with a sparing hand. If we did, the fault would recoil upon ourselves, for it must be remembered that we did not possess the appliances which Continental countries did for raising their enormous Armies. With a great country like India depending upon us, there must necessarily be a large draw upon our resources of men, but that should be willingly met in order to keep up our connection with that great and glorious possession.

SIR HENRY HAVELOCK said, he was glad his hon. Friend the Member for Hackney (Mr. J. Holms) had brought forward the question at an early period of the Session, before the Government introduced the Army Estimates. At the same time, he should be compelled to divide against the Motion, because he could not assent to the proposition that our system was vicious and immoral, or to the suggestion that, having regard to the efficient defence of the country, it was inexpedient to maintain two rival paid Forces in the United Kingdom. His hon. Friend had disclaimed all military knowledge; but he was at all events master of that part of the military art which consisted in changing his ground, for there was a considerable difference between the speeches he had delivered in the country and the moderate statement he had made to the House. In many particulars, however, his arguments were still open to question, and he should endeavour to bring his hon. Friend back to the question. His hon. Friend compared our military system with that of Prussia, but any comparison between the two was impossible, for it must be remembered that conscription was resorted to in that country, whereas our Army was filled by voluntary enlistment. Then, as to the question of amount, his hon. Friend said that the Prussian Army was maintained at one-eighth of the cost of ours, but he did not tell them of the keep and pay of the Prussian as compared with the British soldier. This was a subject which had long occupied his (Sir Henry Havelock's) attention, and he had also been making recent inquiries on the subject—indeed, he was as well acquainted with the details of their system as of our own. The cost of the keep of the Prussian soldier was 4½*d.* a-day, as compared with 1*s.* 6*d.* a-day on the part of the British soldier. Beyond that, our soldiers received plentiful rations, which might perhaps in some respects be improved, but which, at all events, were sufficient to keep them in vigour. The Prussian soldier had an allowance of only one meal a-day, and that comprised no more than two-thirds of what was given to our men. For the rest of his food the Prussian soldier was maintained principally by the contributions of his friends, and that was an indirect tax on the country of which it was difficult to calculate the amount. It was true that his hon. Friend had addressed audiences in the country which had shown themselves favourable to him; but they were totally incapable of forming an opinion upon the facts brought under their notice. The hon. Gentleman compared disadvantageously the position of our Army now with what it was in 1870. His (Sir Henry Havelock's) observation led him to a totally different result. The supply of men was not so great as he should like it to be, but in other respects the position of our Army was decidedly better than it had been. We had more battalions at home, and they were in some respects stronger. We had a Reserve of 35,000 men. As to our Artillery it had been not less than doubled—he might almost say that it had increased two-thirds. There was a diminution of crime and of desertion, and in every respect there had been material and great improvement. In comparison with that, the Prussian Army had lost an enormous number of men by desertion in one year, many of whom had never returned. Again, the hon. Member's comparisons between the Prussian Reserve and our own were fallacious. If the Prussian authorities paid for their Reserves what we had to pay for ours, the cost to them would be something more than £8,000,000 a-year. As to the competition in recruiting between the Militia and the Line, no doubt they did compete, but not to the extent represented. One-half or two-thirds of the men in the Militia were earning good wages, and went out for training as a sort of holiday, but they could not devise any means which would bring these men into the Regular Army. There were consequently about one-third of the men in the Militia who might be induced to transfer their services to the Line. That idea had already been put in practice, and met with considerable success. He therefore thought it would be a most injudicious thing to interfere with the existing Militia, unless they were prepared with something to take its place. He could not concur in the statement that the Militia was a useless toy. When the Militia were embodied some of them were almost equal to the Line. There was scarcely a perceptible difference between the men of the Militia and of the Line when they were brigaded together. Between 1805 and 1815 the Militia contributed 110,000 men to the Line; during the Crimean War they had contributed 71,000 men; and they had since contributed a fair quota. The Militia had an important function to discharge in time of war, besides supplying recruits to the Regular Army, for if emergencies arose our highly-instructed Regular Army would be ready to be transferred abroad or to the Colonies, and then the Militia would to a great extent come into their place. He could find no confirmation of the statement which the hon. Member for Hackney had advanced in his book, that the function of the Militia was practically gone, because the Volunteers were fit to take their place. *The Volunteer Gazette*, the best authority, perhaps, that could be quoted on the subject, did not take that view of the fitness of the Volunteers to replace the Militia, but had pronounced a different opinion. We had some 160,000 Volunteers, of whom he wished to speak with every term of respect and admiration, but that Force would not enable the Militia to be dispensed with. The Militia supplied a most important intermediate force between the Regular Army and the Volunteers. He gave his hon. Friend credit for his wish to reduce expenses as far as possible, and he had contended that if his suggestions were followed, there would be a great diminution of expense. But he (Sir Henry Havelock) could not assent to some of the views put forward by his hon. Friend, such, for instance, as the proposal to reduce the standing Army at home to 68,000 men, and if they came to examine the way in which it was proposed that these should be distributed, they would come to some remarkable results. One result would be that the battalions would be so reduced that when the attempt should be made to enlarge them, the far greater portion of the men would be entirely new to the work. Neither could he agree with the hon. Member in the apprehensions with which he looked upon the condition of the Army in India, his own information having led him to an entirely different conclusion. He should prefer that our Forces in England and in India were a little more equally balanced, but the hon. Member had spoken of a state of things which had now ceased to exist. He could not concur in the Motion of his hon. Friend. If his hon. Friend could convince any considerable portion of the House that the results would be realized which he anticipated from the measures he proposed, he should be prepared to give them his cordial support, but having subjected them to the most thorough investigation, he could not in the slightest degree follow his hon. Friend.

MR. ANDERSON said, the hon. and gallant Member for Mid - Cheshire (Colonel Egerton Leigh) had spoken of bachelors' wives and old maids' children, but the hon. and gallant Gentleman seemed to forget that we had a civilian at the head of the Army now, and so long as that was the case no one could fairly object to civilians' criticism. Indeed, the Army itself might now, in the hon. Member's sense, be regarded as an old maid's child, seeing that it had a civilian at the head of it. An institution was never greatly reformed from within except after free criticism from without, and the Army was no exception to that. As a rule, the greatest reforms in the Army had come either from civilians or from civilian criticism. He had been glad to hear the hon. and gallant Member for West Sussex (Sir Walter Barttelot) speak so strongly and so decidedly against balloting for the Militia, and so far he had exactly expressed the feeling of the country on that point. The country was not ripe for the Militia Ballot, for the country knew that when that system was in force it never was a fair and proper thing. In fact, in the old days, when we had Ballot for the Militia, those who could escaped, and nine-tenths of the men who served were substitutes. It was, therefore, a Ballot—not for those who were to serve, but for those who were to escape paying for a substitute. It was practically taxation by Ballot, and for a return of that system he was sure the country was not ready. The hon. and gallant Baronet had said further that to abolish the Militia would take away a great field for recruiting, and had shown that the Militia was such a field at present; but it did not follow that the case would remain the same under his hon. Friend the Member for Hackney's scheme, which gave a totally different inducement to men to recruit. Still he (Mr. Anderson) did not advocate the abolition of the Militia. He did not even think that the abolition of the Militia was necessary for his hon. Friend's scheme. He thought that scheme would be very perfect and complete without it. At the same time, he had some fault to find with the Militia. He thought it was not a very efficient Force. It was only drilled for one month in the year, and worse than that, it was never taught to shoot at all. There was no pretence made to teach the Militia to shoot, and what was the use of the soldier who could not use his rifle? [Sir RICHARD GILPIN said, the Militia went through a course of musketry instruction every year.] He could produce some proof of what he had stated, for in the Army Estimates which had just been laid upon the Table, he found that the numbers of the Volunteers were 169,000 men, and the numbers of the Militia were 140,000 men; so that there was not a very great difference in point of numbers between the two services; and yet, while the amount expended for small arms ammunition for the Militia was just £5,913, the amount expended for small arms ammunition for the Volunteers was £51,374, or nearly 10 times as much for a Force which was only stronger by 20,000 men. That showed the difference between an Army that was taught to shoot and an Army that was not taught to shoot. There was one other fault he had to find with the Militia, and that was, that it was made a sort of back-door for the admission of incapable officers into the Army. That, he thought, was one of the worst features about our selection of officers for the Army—that men who entirely failed to pass examinations and thus to earn commissions in the regular way would by this sort of back-door means gain commissions in the Army which they were known to be utterly incapable of earning in the regular way. Still, he would prefer to see the Militia reformed to seeing it abolished. As to the questions of recruiting and desertion, the getting of suitable men instead of boys was simply a matter of money and inducements. While we paid only the price for boys we would only get boys. Under the scheme proposed by his hon. Friend, we should get a different class of men, and if the inducements were greater, we should not have the immense amount of desertion which we had at present. There was not the same amount of desertion from the police force, because the men were well paid; and it was only by paying men well, and making them comfortable, that we could get rid of so much desertion. No doubt, there were certain bad men who went about from regiment to regiment re-enlisting, and getting their kits over and over again. They used to be called "bounty jumpers" in the old days of bounty, and certainly the practice ought to be checked. He remembered that he was one of those who very strongly advocated the abolition of branding or marking deserters. The reason why he did so was that branding affixed an indelible mark of disgrace for an offence which was not a criminal offence; but a suggestion had been made which might greatly tend to check the practice of desertion, and that was, that instead of affixing a brand of disgrace, a brand of honour should be used instead. He understood that a man on entering the Army was always vaccinated. Would it not be possible to make the vaccination mark in the form of a broad arrow?—and that would not be a mark of disgrace, but it would show that the man had been in the Service, and therefore serve the same end of preventing repeated desertion. As to reducing the length of time that men were to be kept in barracks, he heartily concurred with his hon. Friend's view. He thought that if we kept a much smaller number of men in barracks than 80,000 or 100,000, and passed them more quickly into the Reserve, we could well afford to give them much larger pay when on active service—a pay which would make them comfortable and happy. Then, we could pass them into the Reserve, and by that means, in a few years, we should have created a good Reserve. No doubt, our Indian requirements were an obstacle in the way of short service; but he agreed with his hon. Friend that there should be special volunteering for India; and then, when a man volunteered to go to India, his six years should date from the time he volunteered. That would save the expense of bringing him back after a very short service abroad.

MR. CAMPBELL-BANNERMAN said, that so far as the first part of the Resolution was concerned, which pronounced the state of the Army unsatisfactory, he was by no means disposed to take an unreasonably optimist view of our Army, and if the right hon. Gentleman the Secretary of State for War deemed it his duty to introduce any reforms with a view to its improvement, he could assure him his proposals would meet from him with no undue amount of criticism. He must, however, observe that the Returns which had been laid before Parliament showed that in almost every respect there was an improvement; or, at all events, that the position of the Army was being maintained, whether they looked at the number of recruits, their age, size, conduct, or their health. In every respect there was no symptom of that deterioration of which one heard so much out-of-doors. As to the cost of the Army, there was no doubt that a large amount of money was spent upon it; but it was difficult to find a standard by which to judge that expense. To compare it on that head with the Prussian Army was to institute a comparison which was entirely illusory, considering the difference between the composition of the two armies, and the manner in which they were raised, nor was it easy to prove that, under all the circumstances of the case, our military expenditure was extravagant. But the Resolution, proceeding from generals to particulars, said that their present system of detaining men in barracks for home service for a much longer period than was necessary to make them efficient as soldiers was vicious and immoral. If his hon. Friend the Member for Hackney had put that in a more general form, and had merely asked them to agree with him in stating their opinion that it was undesirable to detain men longer in barracks than was necessary to make them efficient and than was required by the nature of our varied service, then he for one would have been ready to agree with him, and one of the objects of short service, as now applied, was to obviate the evils of a lengthened residence in barracks. He thought that his hon. and gallant Friend opposite (General Shute) did not mean to stand by his Amendment, that long residence in barracks was good for the men. There was a general agreement that a system of short service was the best adapted to this country—a system under which men served a certain number of years in the Army and then passed to the Reserve to spend the rest of their service in it. It was, however, difficult to say what one meant by short service, because "short" was a relative term, and what to one man was short to another was long. Hence arose much difference of opinion, and the point about which it existed was what portion of service a man should spend with the colours, and what portion in the Reserve. He had found amongst the best friends of the short-service system very various views on this point, and even his hon. Friend the Member for Hackney, who was never without confidence in the opinions which he entertained, at one time thought it would take three years to make an efficient soldier; but now he seemed to think that 18 months would be sufficient. The difficulty was this—that if we retained men only a short time with the colours we should have a large Reserve, but its discipline would be defective; and in this country, where men were somewhat free in their habits, a little longer time might be necessary than in other countries, for although drill might be learned in a few months, it took much longer to acquire those habits of obedience and discipline upon which the efficiency of a soldier depended. On the other hand, if we kept them too long with the colours, we should have either no Reserve or one that would be inadequate. We had, therefore, to discover, from experience, what term of service was most attractive to recruits, gave the best Reserve, and combined the minimum of active service with the maximum of efficiency. He would not attempt to lay down an iron rule on the subject, but perhaps the system we now had would be found to meet the requirements of the case as nearly as possible. We enlisted men for six years' service in the active Army, and six in the Reserve, but this division of their total term of service was not rigidly adhered to. The Inspector General of Recruiting thus described the present practice in his Report of January, 1874—

> "Men enlisted for 'Short Service' may, at the expiration of three years' service in the ranks, with their own free consent, and with the approval of their Commanding Officer, be permitted to pass at once into the 1st Class of the Reserve, and there complete the unexpired portion of their engagement in that force.
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> "And conversely, those men who have proved themselves to be good and efficient soldiers, or likely to become valuable non-commissioned officers, may, after three years' Army service, be allowed, with the consent of their Commanding Officers, to continue and complete the unexpired portion of their engagement of 12 years in Army service, and thus become qualified for re-engagement and eventually for pension on the completion of 21 years' service.
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> "By the operation of this system those men who have entered the Army, and have found the active duties of a soldier's life distasteful, or who have seen openings in civil life more congenial to them, who wish to marry young, or who from any other cause are disinclined to go on serving, may, after a comparatively short service in the ranks, be released from their Army engagement, but they will leave their corps trained as soldiers, fit for duty if called

upon, and ready to serve their country on the occasion of any emergency.

"On the other hand, those who show an aptitude for a military career may have their wishes gratified, completing their full term of service uninterruptedly. . . . ."

It seemed to him that with a voluntary Army like ours, and in a country like ours, where they could not take hold of a man and thrust him into any arm of the service they chose and on any terms they chose, this system was best calculated to make service in the Army palatable and acceptable to the people. These considerations were sufficiently strong in themselves; but when they came to regard the foreign possessions of the country, especially the requirements of India, it was obvious they could not have applied to the whole Army any period of service shorter than six years. The hon. Member for Kirkcaldy (Sir George Campbell), who on this subject could speak with authority, knew very well that whatever extension might be desired in the opposite direction—in increasing the term of service of the men who had to serve in India—no term shorter than six years could be applicable to India. If they had a shorter service, they would be driven to support a local army in India, or to a system such as that advocated by the hon. Member for Hackney. But the system of his hon. Friend, while it had many disadvantages in itself, would be inapplicable to the complicated framework of any Army such as ours. It struck him as singular that in the scheme advocated in the pamphlet of his hon. Friend the service of the whole of our Indian and Colonial Army was to be a long one. The consequence would be that in the Reserve we should have none but home-service men. It certainly did not seem desirable that our Reserve should contain only men who had seen nothing but peaceable service at home, and that they should be destitute of that varied experience which would be acquired in Indian and Colonial service. A great deal had been said about the prospect of getting a better class of men provided the men were not kept so long in barracks. Now he was very desirous to have the best class of men we could in the Service, but he did not mean by this that we should go out of the class from which we at present recruited. If we went into the skilled labour market and competed with the wages of artizans, we should make a signal failure. In the first place, not being able to pay them sufficiently, we should not get the men; and in the second place we should have a smaller number to take our recruits from. Besides, if we drew skilled artizans largely into the Army, the country would be placed at a disadvantage in being robbed, to an unnecessary and wasteful degree, of its mechanical skill. On the other hand, there would always be found a certain number of the artizan class who, from a spirit of enterprize, would join the Army, and from whom our non-commissioned officers would be drawn. The last part of his hon. Friend's Resolution was that, "having regard to the efficient defence of the country, it is inexpedient to maintain two rival paid Forces in the United Kingdom." He did not agree in this with his hon. Friend. His belief was that the degree of competition for recruits between the Militia and the Army was not so great as had been stated, and that it would rapidly diminish. In the first place, a great number of Militia regiments were composed of artizans from the towns, colliers, and people of that class, who were willing to go out with the Militia for a change. He did not know whether there were any officers of the Ayrshire Militia present; but if there were, they would bear him out in saying that in Ayrshire, for example, the Militia was as fine a body as they could wish to see, and composed almost entirely of colliers and weavers, who would earn at their work large wages. These men joined the Militia that they might have an occasional holiday, just as hon. Members went to the Highlands and elsewhere at certain seasons for their pleasure. But those were not men who in any case would enlist in the Army. Then a large number of men passed from the Militia into the Line. The last Return he had seen put it at 5,000. The number was increasing, and a man who went into the Army after a year or two in the Militia was a better man than if we had got him for the Army at first. It must also be remembered that the recruiting both for Line and Militia was now under the charge of the Commanding Officer of the Brigade District, and it was his duty to see that there was no undue conflict between them. He trusted his hon. Friend the Member for Hackney would have the general sympathy of the House, not only with his effort to improve the state of the Army, but also with respect to one or two of those things he had brought before them. He (Mr. Campbell-Bannerman) could not, however, accept the terms in which his Resolution was put, and trusted that very few hon. Members would be willing to commit themselves to so rash an opinion.

SIR WILLIAM FRASER said, that some years ago, if a man "went for a soldier," he usually came back the worse for it, but he absolutely denied that this was the case at present. The old-fashioned idea on this subject had a detrimental effect on recruiting for the Army. A soldier, being for many years under strict surveillance, became thoroughly disciplined; he was well fed, his health was cared for, and he was removed from the temptations to crime caused by want. He had a sufficiency provided for him, he associated for the most part with respectable persons, and was kept from social degradation. With the improvements which had been made of late years, and those to be made in future, the position of a soldier would become one to be envied; and he regretted that the advantages of a soldier's life were not better known among the class from whom our Army was recruited. If they were, there would be far less difficulty than at present in getting recruits, though, of course, at a time when the price of labour was rising throughout the country, there must be a difficulty in attracting men to the Service. Numerous civil employments were open to men who had served in the Army. His two brothers had commanded regiments, and he knew that there was a difficulty in preventing good men from purchasing their discharge, because there were so many temptations open to them in civil employments. The railway companies and mercantile firms afforded endless means of employment for soldiers who had behaved well while they were in the Service. These being the real facts, it was greatly to be deplored that an opinion should prevail among the classes from whom the Army was recruited that, when once they put on a red coat, they become a sort of Pariahs, and were shunned by the rest of the world. The truth was that a man had an opportunity of raising himself in the social scale by putting on a red coat and shouldering a rifle.

SIR GEORGE CAMPBELL said, he should not have intruded himself into this debate but for the interest he felt for India, and he was afraid a great injustice might be done to our position in that country. The situation was this—this country had accepted the principle that they must change the old system of their Army, and instead of maintaining a fixed standing Army, that they must have a short-service Army with large Reserves behind. Looking at the attitude of Continental nations, he had very little doubt that was the right view; but they must remember that in this respect England's position was entirely different from that of Continental States, inasmuch as she had to supply not only her own needs, but also those of India. It seemed to him that this question of short service was drifting in a direction which would be detrimental to the interests of India, and the question of providing troops for India ought to be taken into consideration in discussing the short-service system; for otherwise we might ultimately discover that we had established a system well adapted for home purposes, but not applicable to India. The short-service system was not at present thoroughly settled, and consequently there was considerable difficulty in ascertaining what was the system actually in force in this country. He had ascertained that practically the conditional three years' service regulation was a dead letter. They must, therefore, assume that the ordinary service for which a man enlisted was six years, and he confessed he looked upon six years as an unhappy medium to be fixed upon. It was too long to be called a short service for home, while it was far too short to be of any good as applied to India. He would ask whether they believed that any man who did not wish to make the Army his profession would enlist upon the present condition, when he had before him not only the six years' service, but probably that he would have to take a turn of service in India? It was totally out of the question to talk of giving a short-service system a fair trial with the prospect of serving in India staring the men in the face. Under the 12 years' system of enlistment a soldier, on the average, spent under six years in India; under the six years' system, the average time spent in India would probably be less than three years. They must have two systems—one under which men would be enlisted for short service who did not look to the Army as a profession, but to qualify themselves as soldiers to retire to the Reserve, and then obtain certain pay and advantages as Reserve soldiers, becoming armed citizens, ready to come to the country's call when needed; and the other system that which had hitherto prevailed of inviting men to undertake service in the Army as a profession, and to devote the best period of their lives to it. What he wished particularly to impress upon the Secretary of State was that not only would the Indian Army cost more than it now did under short service, but that it would be infinitely less efficient than it now was. While in India he had seen a good deal of service with troops, and he had been immensely impressed with the difference between seasoned regiments and new regiments. The former were far better and more efficient soldiers, and were also experienced in the ways of the country, knowing how to make themselves comfortable. He feared that under the six years' system there could not be an efficient Army in India. The regiments there would consist of comparatively young and unacclimated men; and this would be a great evil. The Indian Army was not always stationed in the hot plains. Under the present system half the European soldiers were in the hills, in a climate quite as good as our own. What he thought they ought to do was to shorten the period of six years for enlistment for home service, and lengthen the period of enlistment to at least eight or ten years or more for India. Civilians were now required to pass eight years in India before they were entitled to a furlough; and until recently they were required to pass 10 years. The same time would not be too long for soldiers, with the proviso, of course, that any man whose health broke down should be sent home. The Indian Army must be composed of men who made the Army their profession; and he hoped that the Secretary of State for War would speedily settle the question of military service in India.

Captain NOLAN said, he should not have objected strongly to the proposal of the hon. Member for Hackney (Mr. J. Holms) but for the unfortunate fact that it described the present practice of retaining men in barracks for home service longer than was necessary to make them efficient and thorough soldiers as being "vicious" and "immoral." He objected to these words as casting an undeserved slur upon officers who were Members of that House, and upon soldiers of all ranks who were beyond its walls. The speech in which the hon. Member had brought forward his Motion undoubtedly took the sting out of the words; but, at the same time, he hoped that a vote of the House would not be asked upon a proposal in which they were contained. In the chances of war he believed that the advantages would rest with the soldiers of a free nation; but the difficulty was that a free people could scarcely be induced in times of peace to prepare its Reserves, so as to be ready to take the field when war broke out; and he considered that the hon. Member had done an immense amount of good during the Recess in calling the attention and enlisting the interest of the country in the state of the Army. He might be very well contented with the interesting debate he had raised, and the admirable and valuable speeches that had been made on both sides of the House. The hon. Member in his speech urged the importance of adopting the short service system, and expressed an opinion that, on the whole, it would be advantageous to render still shorter the period of service with the colours and to lengthen the time which men would spend in the Reserve. It was not because men had been 12 or 14 years in the Army that, therefore, they were well disciplined. They began to think of pension about that time, and, therefore became, as it were, bound up with the Army. There was no reason why a man at the end of six years, or even of three, should not be thoroughly well disciplined; and it should be borne in mind that with a three years' service they could secure three times as large a Reserve as under a six years' service. Some time since the Secretary of State for War stated that, practically, we had a three year's service, as a man could, with the leave of his commanding officer, enter the Reserve at the end of three years. He should like to be informed to what extent that was made available, as the result of his inquiries led him to believe that, practically, that three years' rule was a dead letter. One difficulty which stood in the way should not be lost sight of—namely, the drafting of troops to India. The local Army there to a certain extent had failed, and they had tried a substitute of interchangeability between the Home and the Indian Army. A man's service was shortened by this system, but there was a simple solution of the difficulty—namely, that a man should to a great extent be allowed to choose where he would serve. Not that he should be allowed to select, say, between Plymouth and Portsmouth, but that he should be allowed to go to India when he liked and for a certain fixed period. Such men should not be allowed to return home, if the regiments which they joined were coming home, unless they had completed the term which they had agreed to, but should for the residue of that term be required to exchange into another regiment. He trusted that our home military system would not be subordinated to that of India, as the result might prove to be fatal to this country in the event of our Fleet collapsing.

CAPTAIN MILNE HOME said, he considered that the question before the House was of the greatest possible interest to those who, like himself, might be called junior officers. The hon. Member who so ably introduced it (Mr. J. Holms) asked the House to say that the present condition of the British Army was most unsatisfactory; and he attributed the fact to the detention of the men in barracks, and to the vice and immorality which prevailed there. The remedy the hon. Gentleman suggested was short service and the abolition of the Militia. They must all admit that the condition of the Army was unsatisfactory. It could not be satisfactory to see battalions going abroad, having had to fill up their ranks with volunteers. The fact that Her Majesty's regiments of Guards were 100 short of their battalion strength was not satisfactory; neither were the facts that the Army was short of troops, and that recruiting was much below the desired mark. The great question was—Was that state of things to be remedied in the manner suggested by the hon. Member? The proposition put forward by the hon. Member was that the practice of retaining men in barracks longer than was necessary was vicious and immoral. Was it the hon. Member's opinion that if a recruit remained two years in barracks he became vicious and immoral; but that if he left before that time, he would be free from vice and virtuous. The hon. Member ought to be pretty sure of his case before he made an assertion which ought not to have been put forward without the most convincing proofs. Did the hon. Member mean to say that the soldiers of whom the Duke of Cambridge had publicly stated that he would go anywhere, and against any enemy with them, were deteriorated by vice and immorality? It was preposterous to say so. The assertion was sufficiently answered by the statement of the late Chaplain General, who, in his letter to the various Army Chaplains, spoke highly, after 62 years' experience, of the excellent qualities of our soldiers. One great omission in the scheme of the hon. Member for Hackney was that he had not said a word about the non-commissioned officers, who had been justly described as the backbone of the Army. If the men were only to remain two or three years in the Service where were the non-commissioned officers to come from? Even if they remained in the Service, still if the Army was to have nothing but short service men the task of the non-commissioned officers would be harder as time went on, and it would be more difficult to keep the Service in a proper state. From the speech the hon. Gentleman delivered at the meeting of the Social Science Association, it appeared that he had also forgotten another class—the old soldiers. From his experience as a troop officer, he (Captain Milne Home) could say that the old soldiers were the men to be trusted in barracks and in manœuvres, and they rendered valuable service in assisting the non-commissioned officers to teach the younger soldiers their duty. A system of entirely short service would be, therefore, a total mistake. The soldiers, no doubt, liked change. Hon. Members knew that it was the same in domestic service, and that servants would leave them for no reason whatever. In the same way many young men did not like to be bound down for six or ten years. Let them, therefore, combine the two, long service and short, if they pleased, by all means. The last assertion in the hon. Member's Resolution condemned the maintenance of two rival Forces, the Militia and the Line.

The hon. Member considered that to be one of the causes of the unsatisfactory state of the British Army, and suggested that if they abolished the Militia and introduced a Reserve of a somewhat fancy description they would be all right. He (Captain Milne Home) thought, however, they had heard enough that evening to show that the Militia was a most valuable Force, and one which the hon. Members sitting on that (the Ministerial) side of the House were by no means disposed to give up, because it was a remnant of the ancient feudal system, under which the owners of the soil were bound to protect the land they occupied. He had no wish to intrude any crotchets as to what ought to be done with the Army; but one thing was quite clear, and they would hear more about it when the Estimates came on for discussion—that in order to do away with desertion, and bring the recruits in greater numbers, they must receive not only additional pay, but other advantages. The Government must not give with one hand and take away with the other, but the soldiers must have a sufficiency of good food and something to look forward to—he would not say a pension, but perhaps deferred pay, so that if a soldier remained in the Service a certain number of years, he might have something to look forward to which might set him up in trade or assist him to gain his own living. If that were done, desertion would decrease. The late Government began, to use a popular phrase, at the "wrong end of the stick." They abolished Purchase, but left their Successors to pay for it; whereas, instead of appropriating £8,000,000 for the officers, they would have done much better if they had begun by improving the condition of the private soldier. For these reasons, he should support the Amendment.

Major BEAUMONT said, that the Motion of the hon. Gentleman the Member for Hackney (Mr. Holms) laboured under this disadvantage—that it had been introduced before hon. Members knew what was the nature of the scheme of Army reform which the Secretary of State for War was about to introduce. There were, however, many portions of it which would recommend themselves to hon. Members on both sides of the House. He concurred with the hon. Member for Hackney that the condition of the Army was unsatisfactory and its cost extravagant. They had now expended £8,000,000 in getting rid of Purchase, and he thought Parliament stood pledged to go fully into the question of Army reform. To show that the cost of the Army was extravagant, it was unnecessary to do more than point to the fact that it was admitted on all hands that only one-third the amount voted went in the shape of direct pay to the Army, the remaining two-thirds going to pay the non-effective services. He believed our Force was as strong in numbers as was necessary, and that a great economy might be effected by reducing the expenditure on the non-effective services. As to the terms of the Resolution, he would have preferred that it should have spoken of retaining men in barracks longer than was necessary to make them soldiers as being "inexpedient," instead of "vicious or immoral." As the Returns showed that 20,640 men were enlisted last year, that there were 24,560 men fined for drunkenness, and that the number of fines were 49,733, either the hon. and gallant Member for Brighton (General Shute) must have under-estimated the number of bad characters in the Army, or else the "admirable regimental discipline carried out in the barracks" which he referred to must have failed to achieve the results he would credit it with. From a common-sense point of view, two systems of recruiting must be antagonistic. The Militia did not readily blend itself with the Army, because the circumstances of the two Forces were very different; we could have efficiency without simplicity of organization, and simplicity was incompatible with recruiting for two services. To make the Militia truly and properly efficient was the true key to Army reform; that led up to the principle of short service, and if we adopted it in its entirety we should have such a number of men passing so rapidly through the Militia that we should soon be unable to obtain them, unless we turned the tide of the Militia recruiting into the ranks of the Regular Army. And why should we not do so? We could not expect a Militiaman to be so efficient as a man who had passed through the ranks; and the noble Lord the late Secretary of State for War (Viscount Cardwell) could find no answer to the argument for making the Militia efficient by passing men through the Army into the Militia. The noble Lord said we could not get men without conscription, but that he (Major Beaumont) denied. Considering the smallness of the pay of a soldier, it was rather surprising that the services of so many men could be obtained. The great question was the sufficiency of the pay we chose to offer. The pay of soldiers was small compared with that of civilians, and we could readily get men if, instead of enlisting them for six years and offering 4*d.* a-day as Reserve pay, we enlisted them for three years' service and £12 a-year Reserve pay for 20 years. That would alter the circumstances of recruiting very materially, and remove any difficulty in the way of getting men; and he protested against the arguments which coupled conscription with short service. A great responsibility rested on any Administration which had to deal with the question of Army reform. The late Government, as far as the officers were concerned, took the Army out of pawn, and enunciated the principle of short service, which he wished had been carried further. The localization measure was a recruiting scheme, and that had been followed by the present Government's mobilization scheme, in which there was nothing either very valuable or much the reverse. It was easy to mobilize men if only you had them. He should be glad to support any scheme which would carry economy and efficiency still further.

COLONEL LOYD-LINDSAY said, he fully concurred in the absolute necessity of giving an increase of pay to our soldiers; if it were given many existing difficulties would disappear, and he hoped the proposal shortly to be made would substantially do what was required by offering greater inducements to good men to enlist. He went a long way with the hon. Member for Hackney (Mr. J. Holms) in what he said with regard to the barrack system. He had always felt the considerable difficulty of locking up 400 or 500 men at 10 o'clock on a summer's night in barracks and, as it were, subjecting them to prison discipline. If they could raise the character of the men enlisted, they might at once be able to economize in various directions, and also do away with a great deal of that strict discipline which commanding officers now felt so painfully necessary. But while he said that he must also say a word on behalf of the class of men who were now enlisted. Even the drunkard, when brought into the Army, under the strict discipline which was imposed on him, did very good service. Though he had been a hard drinker, he became a hard-working man; he was not selfish, and, above all, he was not what soldiers call a lawyer. With regard to the speech of the hon. Member for Hackney, he might, with all diffidence, say—and he hoped the hon. Member would take the remark as it was given, in good part—it was very different from the speeches he had made in the country, and he would gain considerably in the estimation of those who wished him well if, when he made statements on this subject to those who were not acquainted with it, he spoke to them in the same tone he had preserved in that House. The remarks which the hon. Member had made with regard to the Militia had rather a tendency to ruffle the feelings of those who knew what the Militia was, who had served with it, and had great respect for it. The hon. Member spoke of it as a toy in the hands of country gentlemen, and a mere sham. He entirely differed from the hon. Member. He admitted that it was not so efficient as it might be, and it ought to be made more efficient. What was wanted was an Army capable of rapid expansion and contraction, and the Militia was in that respect a most valuable auxiliary to the Army. For the amount of cost we paid for the Militia its services were very efficient indeed, and he should be glad to see more expansion given to it. So far from seeing it extinguished, it was to it we must look in a great measure for the Reserves which we required. He remembered when no fewer than 10 regiments of Militia, acting as Reserves, occupied the forts in the Mediterranean, and were ready to come to their assistance in the Crimea. He hoped, therefore, the Militia would not be forgotten. They had already done good service, and in the future might do still more.

MR. MUNTZ said, he was much obliged to the hon. and gallant Officer who had just spoken for what he had said with reference to the Militia. The Militia was a most constitutional and economical Force, and one which, from ancient usage, recommended itself as a valuable auxiliary to the Regular Army. Everybody who knew the Militia was aware that at least two-thirds of the men were those who would never join the Army, because they had entered merely for the sake of pastime and recreation. There were, however, many Militiamen who did volunteer for the Line, and became some of the best soldiers we had. In the French War they garrisoned our forts, while our troops were in the Peninsula; in 1815, when there was a sudden demand for men, a large number of the Militia volunteered to fill the gaps in the regiments, without whom the battle of Waterloo might not have been won; and in 1855 regiment after regiment went to Malta and Gibraltar. There were several regiments of the Militia at Aldershot in 1859, and they acquitted themselves so well there that an officer who had smelt a deal of powder had declared to him that if he had not known they were Militia he should certainly have taken them for men of the Line. Therefore, as a nursery for the Army he hoped the Militia would never be given up. With regard to the Resolution, he entirely disapproved it. He protested against the action of his hon. Friend with respect to this matter. People at a distance formed the most extraordinary notions of our Army, thinking that it consisted only of a pack of boys good for nothing. Did the hon. Gentleman reflect upon the consequences which might arise from foreign Powers thinking our Army useless? Why, the power of this country was enormous, and we were perfectly competent to maintain our rights. It had been said that there was immorality in barracks. No doubt there was; but, taking a large number of young men of any rank, he asserted that the soldier was just as moral a man as any other of the same class of life. Then his hon. Friend said that the best trained soldiers in Europe were those of Prussia, and that two years' service was sufficient. But what was the use of holding up the Prussian Army to us as a model, when the Prussian military system was founded on conscription, and every one knew that conscription could not be carried out in this country? Besides, it was not the men of two years' service that did the fighting in the late war. They were sent into garrisons, and the first Reserve was called out first, and then the second Reserve, and these were the men who had gone through their whole training. Then it would hardly be believed that the desertions from the German Army amounted to 100,000 in a year, while those from our own Army were about 4,500. As far as he was concerned, he was not the least afraid to put his trust in the Militia and Volunteers if they were ever called upon to do their duty. The noble Lord the late Secretary of State for War (Viscount Cardwell), when in that House, proposed a certain system, which had been carried out frankly and honourably by the right han. Gentleman the present Secretary for War, who wished to give it a fair trial. Let us think carefully before we adopted anything, try it thoroughly before we changed it, and if it did not work favourably let us alter it. But it would never do to be chopping and changing. With respect to a painful letter about four or five married men and their wives living in one room he wished to say a word. When the depôt system was proposed by the noble Lord, he said he would insure that at the depôts married men should have separate quarters. He felt sure the right hon. Gentleman would do the same. He could not agree either with the Resolution or the Amendment, and the best thing that could be done would be that both should be withdrawn.

Mr. GATHORNE HARDY said, he could not agree with a good many of the remarks which had been made that evening with respect to the course taken by the hon. Member for Hackney. No doubt, the hon. Gentleman addressed the House to-night in a very different tone from what he had adopted in the country. But he took particular exception to the course followed by the hon. Member in one particular, which seemed to be the very worst kind of precedent, and calculated to bring discussion about the Army altogether into disrepute. The hon. Member called together political parties in two places, and addressed his remarks about the Army, not to the public in general, but to partizans of his own particular views. Such a proceeding as that seemed calculated to reduce questions of vital national importance to the level of mere Party squabbles, and tended to introduce complications and difficulties which it would be far better to avoid. The hon. Member had justified himself on the ground that the

Conservatives had made the Militia a Party question, and that they had encouraged it simply for the purpose of securing places for the county families and obtaining for themselves county influence. A more extraordinary charge, or one less justified by the facts, he had never heard in the whole course of his life. He was sorry to say that the course which he thought it just to adopt with respect to Adjutants and others was not in accordance with the wishes of some of his Friends in the Militia; but that was what he thought the right course to make the Militia of use to the country, and he carried it into effect without regard to those feelings to which the hon. Member for Hackney had referred. When the hon. Member spoke of the Militia, he should remember that the same course had been taken by his own Friends, and it had never been made a Party question hitherto. The hon. Member was, he believed, the only man who, addressing himself to a public audience, had said the Army and Militia were made a Party question. He must also take exception to the language used by the hon. Member with respect both to the Army and to the Militia. In the volume published by the hon. Member, no doubt with great deliberation, were these words, which appeared to be utterly un-English—

> "We could not find to-day, from all the crowds of men that we could muster in these islands, 50,000 who could be regarded, either as to age or training, equal to the soldiers of Prussia."

Now, he protested against a statement of that kind. And if the hon. Member, even upon the footing on which he wished to place the Army, would look at the Returns for 1874 he would find that on the 1st of January, 1875, there were in the Army at home 13,906 men under 20 years of age; but that between the ages of 20 and 35 years, there were 59,975 men, or, in round numbers, 60,000. Would the hon. Member venture to assert that out of that 60,000 men we could not find 50,000 between 20 and 35 competent to meet any Army in the world? [Mr. HOLMS: I beg pardon, I said between 20 and 32, the ages in the German Army.] He would give the hon. Member the benefit of the three years, though, from experience, he did not think a difference of three years of age would make the men incompetent to fight. But taking them at 32 years of age, he still believed that 50,000 men would be found, and that only in home battalions. He made these remarks because he wished the question to be thoroughly discussed, and discussed in a manner not calculated either to give offence to the Army at home or to give encouragement to enemies abroad. The hon. Member who had just sat down had spoken in terms much more consonant with his own feelings upon this question. He (Mr. Hardy) was not prepared to say that the Army was in a most unsatisfactory state, nor was he at all disposed to say that the Army was maintained at an extravagant cost. He would not now enter into the special question of the cost, because it would be his duty to address himself to it on any early occasion. Any one asking the House to sanction expenditure for the Army must do so on the understanding that he was asking money for something worth the cost, and if the House was of opinion that what they got for the money was not sufficient, they would, of course, express that opinion by their votes. Hon. Members in all parts of the House had spoken as if some great measure of Army reform and organization were necessary. He would not go into the question of Purchase, because the debate had not turned on that subject, it having only been casually adverted to by the hon. and gallant Baronet the Member for Sunderland (Sir Henry Havelock), although he feared that the House would find that promotion and retirement must be purchased at a much more extravagant cost in future than they had been in former days. The hon. and gallant Member said it was their business to turn and twist the material they had got into new shapes. He knew, however, that the Army and the country desired that the Army should have an understanding that they were proceeding on some intelligible basis, which was not to be altered without occasion—which was not to be altered without full notice, and that the conditions upon which they had agreed to serve their country would be observed to the letter, and would not be violated except for purposes of improvement or making such additions to the Army as might be necessary. He had been blamed because he had not hastily and without due consideration made great changes in the Army; but the more he considered what had been done the more he was convinced that it was his duty to give a trial of the fairest and most ample kind to the system set on foot deliberately by Parliament, and on which vast sums of money were being expended; and until that system had been fully tried he was not inclined to change. But in any case the present would be about the most inopportune moment for attempting to make any change in the system, because we had just arrived at the time fixed by his Predecessor for the Reserve to come into full operation. It was true that during the present year the Reserve would not be large, but next year we should probably have as many thousands of men in that force as we had hundreds this year. Could he, therefore, under those circumstances, do anything so absurd and so contrary to common sense as to adopt the revolutionary system advocated by the hon. Member for Hackney, and so throw everything into chaos and confusion just at the very moment when the new system was expected to come into operation? It was clear that for many years there had been a sort of uncertainty in the minds of both officers and men with regard to their position, and he was most anxious to disabuse them of that idea, and to satisfy them that, so far as he was concerned, the conditions which had been made with them would be kept. In the present condition of the Army he admitted that there were certain things which were unsatisfactory, and which, as in all human institutions, could be brought to greater perfection. Indeed, he was far from saying that the Army was in anything like a state of perfection. Still, notwithstanding there had been a diminution of the numbers of men recruited, the force, as a whole, was only 425 below its Establishment on the 1st of February last. He admitted that, with regard to the Guards and the Artillery, things were not in a very satisfactory condition, the Guards being 399, and the Artillery, taking the two branches, nearly 1,100, below their proper numbers. The Cavalry and the Infantry of the Line, however, were engaging supernumeraries, the former being 474 and the latter 928 above their Establishments. The desertions in the Army were about 1,000 fewer than in the year before, and when hon. Members wished to ascertain the proportions of desertion, they should compare the number of desertions, not with the number of recruits, but with that of the whole Army, because it was an error to suppose that desertion occurred among recruits alone. On comparing the desertions of one year with another, the curious fact would be discovered that, whereas the desertions among the class called skilled labourers who had enlisted was 58 per cent, desertion among the unskilled labourers amounted to only 34 per cent. The Chaplain to the Forces (Archdeacon Wright), in commenting upon that fact, explained that difference of 24 per cent between the two classes of deserters by supposing that the former were in the habit of earning wages which were so much above the average that it was impossible that they could be content for any lengthened period with the pay of a soldier, although circumstances had induced them to enter the Force for a time; and it was only by offering them a large money payment and other privileges that they could be got to remain in the Army. The hon. Member for Glasgow (Mr. Anderson) had revived the suggestion that there should be some mode of marking everybody in the Army, both officers and men; and he (Mr. Hardy) thought there was a great deal in that proposal to commend it to the favourable consideration of the House. No man ought to be ashamed of belonging to the British Army, and he did not think any man need be ashamed of a tattoo, or any other mark not of a disgraceful character. He was confident that no one would object to such an expedient as might be absolutely necessary in order to check, not merely desertion here and there, but that abominable kind of desertion by which a man was continually selling his goods, enlisting in other corps, and carrying disaffection and treachery wherever he went. In his opinion, that was an offence that ought to be punished with the utmost severity. He was not disposed to agree with the remark uttered by an hon. and gallant Member that desertion ought to be looked upon as a crime of a not very serious description. The hon. Member for South Durham (Mr. Pease) had spoken of the contrast between good-conduct rewards and the stripes which men received for good conduct, and the number of men who had not received them. But those under two years' service could not receive them, so that the comparison was not unfavourable, especially when it was remembered that these stripes were taken away for slight causes, which would not be considered offences in civil life, and were purely military. He hoped, therefore, the House would not suppose that these 88,000 men who had been mentioned reflected discredit upon the Service. Of course, those offences which had to be dealt with by district or general Courts-martial were of a serious kind, and he wished they could be diminished, as well as the fines for drunkenness. Attempts were being made to find the men pleasant occupations in the evening, and steps were being taken with regard to regimental canteens. They would be very useful, because they would supply the requirements of the men, and in the canteens there would be far more watchfulness over the conduct of the men than there could be in places to which they resorted outside. With respect to height and chest measurements and physical qualities generally, he believed the comparison with former years would be favourable. One morning, without giving any notice, he went to the recruiting establishment in London, having been told by the "man in the street" that he should find men of a very inferior character. He was, therefore, surprised to find men, some of whom were extremely well-dressed, who were of considerable height and development of chest. There were very few whom he should have said were below the mark. They were quick and intelligent, able to spell their names with great rapidity, and to give an account of themselves readily. They were anxious to have their religions recorded, and were evidently aware of the character of the position on which they were about to enter. The Cavalry were a very remarkable class, and there were some whom he should not have expected to see at all. He was struck with the appearance of one young man. The officer in command—one of the most skilful of the recruiting officers — told the man he could hardly be 18, but the recruit replied that he was that age, and could bring his register to prove it. He was perfectly well-dressed, resembling a clerk, and well developed. The recruiting officer enlisted him, and believed he would make a good Cavalry soldier. He (Mr. Gathorne Hardy) mentioned these things to show that we must not allow our prejudices or statements made at random to make us believe that everything was going wrong. As to the complaint that men misrepresented their ages, that could not be prevented by fixing the ages at 20 instead of 18, for a man wanting to enlist would represent himself in such a way as to get enlisted. His attention had been called by the hon. Member for Hackney to the case of a boy of 14 who enlisted in the 14th Hussars. That recruit had been enlisted 10 months without any remonstrance from his father or family; but when the regiment was called upon to go to India, his father represented to the hon. Member for Hackney that the boy was only 14 years and 10 months old. He (Mr. Hardy) inquired who was the medical officer that could have passed a boy of 14 years and 10 months as a man of 18, and he was informed that he was one of the most careful and scrutinizing surgeons in the Army. The fact was, that the boy was of unusual physical development. He was a boy who would make a most capital soldier. All the officers became fond of him, and they were anxious that he should go with them. Having been only 10 months in the Army he could not then go to India. Afterwards, he was carefully examined by a medical man, who was of opinion that he had a constitution which was peculiarly fitted for the climate of India, and he went out. Having found out the boy's age he (Mr. Gathorne Hardy) sent word out that if the boy expressed the least wish to come back, he should be returned but intimating that those who made false attestations about their age were liable to be dealt with by the regulations of the Service. A statement made by the hon. Member for Kirkcaldy (Sir George Campbell) last year had directed his attention to this especial subject. The subject was one which he had considered, and on which he had communicated with eminent Indian medical officers, and it required to be dealt with only after great consideration. The matter was one, however, on which he felt that he ought not to move hastily, because if he did so he thought he should be acting in derogation of the statement he had made that the system which had been inaugurated by his Predecessor should receive a fair trial; and therefore he thought that security ought to be given that men who had served in the ranks should come back to take their places in the Reserve. He could not assent to the idea that the claims of such men should be forgotten, and that they should be treated on their return from such a responsible and dangerous service in a distant country as if they were used-up; on the contrary, he should wish that they might get an adequate return for their services. He did not agree with the hon. Member in his idea that soldiers should serve in India for eight or 12 years, for he thought that if they could get five or six years' service from the English soldier in India that was as much as they could expect from him, and it was far better that he should return from such a trying service before his strength was exhausted and his capacity to serve his country elsewhere greatly lessened or destroyed. He hoped that statement would prove satisfactory to the hon. Member who had raised this question, and that it would show him at least that he (Mr. Hardy) had not failed to give the subject the attention he had promised. As to the allegation of his hon. and gallant Friend the Member for West Sussex (Sir Walter Barttelot), he (Mr. Hardy) was not prepared to accept the statement as to the degree of misery which had been occasioned owing to the reliefs from India coming back at the wrong time. He was told the other day that a number of these men were going about, in such weather as then prevailed, without their great coats. In order to ascertain the truth he had made special inquiries at Woolwich, and the report which he received tended to show the inaccuracy of the statements that had been circulated. It was found that the men's clothes had been lined with serge, that means had been taken to render the men more warm and comfortable; and he believed there was no general officer in the service who was more particular than was the officer in command at Woolwich to see that the men were provided with warm coats and clothing appropriate to their necessities. There was another point which had been raised in the discussion by the hon. and gallant Gentleman the Member for Brighton (General Shute) as to the Ballot. As to one thing he thought everybody would agree, and that was that the present system of Ballot under the Act of Parliament now in force was one which was wholly inconsistent with the present condition of things, and not in accordance with public opinion. He believed the people of this country would not approve of a system which admitted of a substitute. Besides, a great deal might have to be done before the Ballot could be brought into use, and before you could use the Ballot effectually much would require to be effected. He thought it incumbent that, at a very early period, the Ballot law should be brought into a state more consistent with the circumstances of the times in which they were living, and which would enable them, in cases of emergency, to fill up the Militia, and empower them to furnish that supply which was found to be necessary for the services of the country. There was another point which had been mentioned and to which he wished to advert, and that had reference to the men who returned to the Reserve. It was said that you ought to supply such persons with special appointments in the Civil Service. That had been very much urged by the Press and by public writers of various descriptions, and he really thought that a great deal of this feeling arose from the total ignorance as to the several employments for which such persons would be fitted. With respect to the one Department of the Post Office, he believed that an offer had been made of 2,000 places, but of this number not more than about 200 were taken. In dealing with the case of their military men it struck him very much that those who spoke of them as not fit to come back to their old employments did not scruple to consider that they might be fitted for some other occupation, which seemed rather inconsistent; because if after a few years' cessation of his labours a man was not fitted to support himself by the trade to which he had been brought up, it did seem rather a strange thing to put such a man into a position with the duties of which he was entirely unacquainted. The subject, however, required a great deal of consideration, and he had thought that the time might come when a Committee of that House might very properly give attention to the question, whether there were appointments which would be suitable for such men, and whether if they were offered to them, soldiers would be found ready to take them. He thought it would be right to put the question in such a way that both the soldiers themselves and the public also might really understand what was meant. It was of no use saying that there were 120,000 appointments which were open to soldiers, and to which they could be appointed if they desired it, because if you were to divide this by 10 you might come nearer to the truth. He was quite sure that the country was under a misapprehension as to these special appointments; and it would be unfortunate that these men should think themselves competent for positions for which they had not shown themselves particularly fitted. He was not aware that he had neglected to meet anything that had been said by any hon. Member. He had endeavoured, as far as possible, to notice the questions which had been put forward by hon. Gentlemen, and he now came to the Resolution of the hon. Member for Hackney. The hon. Gentleman seemed pleased with the great and satisfactory results of the meetings which he had addressed in the country, which passed unanimous resolutions in his favour. He feared that those resolutions, practically, were carried because the hon. Gentleman went in the room to address assemblies that were favourable to him, and that the persons composing those meetings did not know very much about the Army, and probably they might have been as ready to vote for the abolition of the Army as to support the hon. Gentleman in the new scheme which he had propounded, and which would go far to disturb the present condition of things. The hon. Member for Hackney said they ought to abolish the Militia in order to strengthen the Army. The hon. Member for Birmingham (Mr. Muntz), as well as many hon. Gentlemen on his own side of the House, had spoken a good, an honest, and a true word on behalf of the Militia, which had been very much depreciated by those who probably did not know much about it. Seeing the constant attacks that were made upon it, he thought it desirable that he should have an independent and unbiased military opinion to assist him in the matter, and he therefore wrote to a gallant officer who had seen a great deal of the Militia—General Herbert, who, although unconnected with it, had had it under his command at Aldershot—and asked him for his independent opinion. General Herbert replied in a letter, which he would not read, but it stated that the marching quality of the force was very remarkable, and that the men were for the time of their training in very excellent order; and then he went on to mention certain regiments, to the number of 10, deserving of high praise. He (Mr. Hardy) would not mention the names of those regiments; but perhaps he might be allowed to refer to that which was under the command of his hon. and gallant Friend the Member for Bedfordshire (Sir Richard Gilpin), which was one of the best in the country. General Herbert also mentioned two regiments, and there were many others, no doubt, which, in a short time—say two months—might stand in the field along with any in the Service. There was the authority of General Herbert, then, that with two months' training and manœuvring, the Militiamen would be ready to stand with their comrades in the field. That was the way in which such a high and unprejudiced authority spoke of a Force which had been so much run down. General Herbert had also taken great pains to inquire into the class of men who took service in the Militia, and he said that he quite disagreed with those who said that those men would enlist for the Regular Army if the Militia did not exist; that some of them might do so, but that the majority were of a different class from those who entered the Line, and would never bear arms either in the Volunteers or the Regulars; and that in the country he knew there were many people who did not object to their sons joining the Militia, but who would not hear of their enlisting in the Army. That quite agreed with what had been said by the hon. Member for Birmingham. No doubt it would be a very desirable thing if every recruit for the Army could be trained for two or three years in the Militia; but, unfortunately, it could not be done. Of course, he would rather have the partially manufactured article to work upon than the raw material; and if they could get men to serve in the Militia for three years and then go into the Army it would be a great gain, for which they might be willing to pay something extra; but it was impracticable. He must be forgiven for saying that it depended more upon the Colonels of the Militia regiments what number of men they could secure for the Army rather than upon anything else. In some regiments the Colonels gave 400 or 500 men to the

Army; whereas in others, they could squeeze out but infinitesimal driblets, not liking to diminish the numbers of their regiments. He could quite understand that Colonels of Militia looked on their regiments with pride, and wished to bring them up nearer and nearer to the standard of the Regular Forces; but he would like them to regard them as if they were the nurseries of soldiers for the Army, and he was sure that the gaps which might thus be created in their corps would be filled up, because it would be shown that the Colonels thoroughly knew their business, were appreciated by the men who served under them, and understood both the Auxiliary Force and the Regular Service to which it was joined. He would not now further detain the House. It would be his lot to address it again next week on the Army Estimates, and on many subjects connected with the Army, which he hoped would improve its position. He trusted that the hon. Member for Hackney would be content with the discussion he had raised, without pressing a Resolution that was not supported by anybody but himself in all particulars. It would be a pity that it should appear, by dividing the House, as if there was any difference between them about an object on which he wished to rely on the help of the hon. Member for Hackney, though disagreeing with him in many particulars, as well as on the help of hon. Gentlemen on his own side.

General Sir GEORGE BALFOUR thought they ought to approach the question entirely free from Party spirit. It was not in any way a Party question, and in dealing with it he hoped that defects in the Army, which were of old growth, would soon be removed, and the Service brought into a state of efficiency. He was sure the hon. Member for Hackney did not intend to cast any reflections on the morality of the Army or of its officers. The words to which objections had been raised were merely intended to indicate defects in the military system which were inherent in the mode in which their Army was organized and located, and which necessarily deprived the Army of the class of recruits which were needed for our military efficiency. He also cordially agreed with that hon. Member that as long as they allowed the Militia to compete with the Regular Army for recruits there was a danger that the latter force would be deprived of the men who were so much needed. The past history of their recruiting proved how difficult it was to obtain recruits in sufficient numbers to maintain both Army and Militia up to their establishment, and in spite of all their improvements in the soldier's position, yet the two forces were considerably below their fixed strength. The present difficulties would be greatly increased as soon as the vacancies occasioned by the transfer of the men of short service to the Reserves came into operation. In case of war they must then expect to have their recruiting difficulties greatly increased. In proof thereof, he might refer to the extreme difficulty that had been experienced in raising the Regular Army above the standard of the peace establishment at the time of the Crimean War, and also at the period of the Indian Mutiny, and that difficulty was one well deserving their serious attention. At present the Militia had a great many paper men on its rolls, as was evidenced by the large proportion who absented themselves from training, as also by the numbers of all ranks, including officers, who were wanting to complete, absent with leave, and otherwise inefficient. When they deducted these, and also the men who were liable to be called to join the Army, then the Militia Force dwindled down to a very low condition.

Mr. PARNELL said, the right hon. Gentleman the Secretary of State for War had endorsed the view that in the course of two months' training some regiments of Militia would be fit for active service. He (Mr. Parnell) wished to know if any of those efficient regiments referred to by General Herbert were in Ireland? He believed that, as a matter of fact, many of the men there were thoroughly unfriendly to, and wanting in confidence in, their officers, and otherwise dissatisfied. The year 1798 had been referred to, when English Militia regiments were of so much use to England. If he referred to Irish regiments of the same period, he would find that Lord Cornwallis said they could not be trusted. Could they be trusted to-day? In anything he (Mr. Parnell) had now to say he did not wish to be understood as reflecting in the slightest degree on the good intentions of the right hon. Gentleman (Mr. Hardy).

Like many other English statesmen who had acted with the best intentions as regarded Ireland, he might be disappointed. He (Mr. Parnell) wished to refer to a reply sent from the War Office to a request from the Catholic Union of Ireland that Roman Catholic soldiers might be allowed to attend mass on certain holidays. The right hon. Gentleman gave a very proper reply, that the commanding officer should afford every facility for the attendance of soldiers at Divine service on the holidays referred to. But what was the result? Owing to ignorance on the part of the commanding officers of the intentions of the Secretary for War, hardly any Militiamen were allowed to attend Divine service on those days. The Rev. Mr. Behan, of the parish of Navan, and chaplain of the Meath Militia, having complained of this, he was met by the excuse that the rules of the service did not permit of such attendance. He (Mr. Parnell) should be sorry to say anything to arouse religious animosities, or make a handle of religion for political purposes; but he thought that Militia regiments consisting of Irish Catholics ought to be allowed by their commanding officers to fulfil their religious duties as their conscience dictated. In the present day, however, no Militia regiment was allowed to do so. Employers in Ireland did not prevent their *employés* from attending mass on holidays, and why should this permission be denied to Militiamen? As a Protestant he threw out these remarks, in the hope that Irish Catholics in future would be permitted to attend mass on holidays.

MR. J. HOLMS said, that after the speech of the Secretary of State for War, and the debate which had taken place, he was, with the leave of the House, ready to withdraw the Resolution.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £23,875, Patent Office, &c.

(2.) £23,651, Paymaster General's Office.

(3.) £22,509, Public Record Office.

(4.) £9,600, Public Works Loan Commission, &c.

(5.) £45,911, Registrar General's Office, England.

(6.) £489,635, Stationery and Printing.

MR. SULLIVAN asked, was the printing open to public contract; and, if not, was there any objection to allowing the matter to be open to contract?

MR. W. H. SMITH, in reply, said, it was difficult to give a full explanation without going into detail. A portion of the Vote was for the printing of the House of Commons, which was under the control of the House and the officers of the House; a portion of it was for public Departments; a portion of it was for Returns ordered to be printed. Some reduction had already been effected, and, as far as he was concerned, no efforts should be spared to reduce the Stationery expenditure by competition when that could be done.

Vote *agreed to.*

(7.) £26,284, Office of Woods, Forests, &c.

(8.) £38,865, Works and Public Buildings Office.

(9.) £24,000, Secret Services.

(10.) £6,225, Exchequer and other Offices in Scotland.

MR. ANDERSON asked, whether the new regulations with regard to the Queen's Plates in England applied to Scotland and Ireland? It had been promised that something should be done to improve the breed of horses. What had been done to carry out that promise?

MR. W. H. SMITH, in reply, said, he was not acquainted with what the new regulations were, but there were only £218 in this Vote to which they could apply. He should, however, be ready to answer the question upon the Report.

Vote *agreed to.*

(11.) Motion made, and Question proposed,

"That a sum, not exceeding £12,672, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, of the Salaries and Expenses of the Fishery Board in Scotland."

SIR WILLIAM CUNINGHAME said, he would move to reduce the Vote by the sum of £3,822, upon the ground that his constituents were very much dissatisfied with the Fishery Board for not making arrangements in reference to fishing on the coast. He thought their branding fees ought to suffice to pay the expenses of the Board, and the reduction he proposed represented the difference between those fees and the total sum.

Motion made, and Question proposed,

"That a sum, not exceeding £8,850, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, of the Salaries and Expenses of the Fishery Board in Scotland."—(*Sir William Cuninghame.*)

MR. R. W. DUFF hoped the Committee would not consent to the Amendment. The change was not desired in Scotland. A Royal Commission, some years ago, proposed that the fishery grant should be increased. No attention had been paid to that recommendation, and he thought the proposal of the hon. Gentleman was entirely in the wrong direction. He would suggest that the surplus revenue produced by the brand should be handed over to the Fishery Board, to be expended for the benefit of the fisheries in accordance with the recommendation of the Royal Commission. It was a considerable source of revenue, for upwards of £45,000 surplus money had been paid to the Treasury since its establishment.

MR. J. W. BARCLAY said, a strong feeling had lately grown up among persons interested in the Scotch fisheries that the Government brand was useless and unnecessary. It was formerly considered to be a guarantee of the quality of the fish, but was no longer so regarded, and the Continental buyers now insisted that the herrings should be subjected to an inspection on delivery there. He, therefore, thought it ought to be understood that in some few years' time the brand should be dispensed with. He saw that large sums of money were paid for cruisers and gunboats for services professedly rendered to the fisheries. He understood that the commanders of those vessels were not called on to interfere, except in cases of risk or danger to life. Instead of rendering the assistance they might they sailed from port to port, and passed the best part of their time in harbour. He hoped the first Lord of the Admiralty would inform the Committee what was the nature of the orders given to the commanders.

Question put, and *negatived.*

Original Question again proposed.

MR. J. W. BARCLAY said, he would move to reduce the Vote by the sum of £350, the amount paid to the commanders of cruisers.

Motion made, and Question proposed,

"That a sum, not exceeding £12,322, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, of the Salaries and Expenses of the Fishery Board in Scotland." — (*Mr. James Barclay.*)

MR. HUNT said, a complaint was made last year from the North of Scotland that the commander of the *Jackall* did not set out to assist some fishing-smacks which were a considerable time out at sea, and about the safety of which some apprehensions were entertained; but it appeared that the commander was at the time watching the weather and did not think there was any danger. The duty of the cruisers was to protect the fisheries and keep order on the fishing grounds, and it was not intended that they should act the part of tugs to bring the fishing-boats home. Of course, it was their duty to render assistance in case of danger; but in the instance referred to the captain's conduct was justified by the fact that all the boats came home safely.

MR. PEASE said, that the Government paid £3,000 to £4,000 per annum in this Vote which gave no satisfaction to any one. He hoped the Government would revise the Vote before next year.

MR. W. H. SMITH, in reply, said, a considerable portion of this money, as much as £3,000, was expended on public works, for the benefit of the fisheries, and for the protection of life. As the majority of the Scotch Members were in favour of the brand, it was not thought right to discontinue it. The charge upon the Exchequer was not more than

£3,000, the revenue produced by the brand paying for the cost of the establishment.

MR. LYON PLAYFAIR said, that some time ago, as Chairman of a Commission appointed to inquire into the fisheries on the Scotch Coast, he frequently went on board the small cruisers which were engaged in the protection of the fisheries, and he found the commanders were zealous in discharging their duties, and gave great satisfaction to those interested in the fisheries. He believed that complaint was made of them now for the first time, and that it was founded on a misapprehension of the duties which they had to perform. He hoped the reduction would not be pressed.

CAPTAIN STACPOOLE asked where was the corresponding Vote for the Irish fisheries? He hoped Scotch Members would support the Irish fisheries as the Irish Members would support them.

MR. BUTT said, as far as he could ascertain, the feelings of the Scotch Members and of the country were in favour of the maintenance of this Board, which was a great advantage to the fishing trade, and especially the herring trade, the expense of which was paid by a small fee for branding. But what he wanted to say was that Ireland had had no such advantage, and the Irish fisheries stood in a very different position. He should, however, vote for this grant, in the hope that a similar Vote would be proposed for Ireland before long.

MR. THOMSON HANKEY asked in which way the item of £3,000 in aid of piers was expended?

MR. W. H. SMITH, in reply, said, it was an annual Vote under the Act 5 *Geo.* IV. sec. 54, and during the last two or three years the money had been expended in improving the harbour of Anstruther.

MR. J. W. BARCLAY said, he did not understand the remarks of the First Lord of the Admiralty, as the votes specified certain sums paid to the commanders of the cruisers. He inquired what were the instructions given to the commanders of the cruisers? The difficulties which had occurred were due to a want of knowledge by the fishermen what duties the cruisers were expected to perform. He also wished to know what the duties of the Fishery Board were?

MR. ANDERSON said, he must press for information upon the subject.

MR. HUNT, in reply, said, he would inquire into the question as to the duties and pay of the naval officers of those cruisers. No complaint had been made to him on the subject except in the case he had mentioned.

MR. R. W. DUFF said, the general opinion was that these cruisers on the East part of the coast should be withdrawn altogether.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(12.) £5,705, Lunacy Commission, Scotland.

MR. RAMSAY said, he would like an explanation. In England, the Commissioners in Lunacy were paid £1,500 a-year each. The three Masters had the same amount paid yearly, not by a Vote of that House, but under the statute by which they were appointed. He would like to know why the two Commissioners in Scotland, who were not in any way inferior to the Commissioners in England, should be paid only £1,000 a-year each?

MR. J. W. BARCLAY objected to the existence of the Lunacy Commission, not because the Commissioners were unfit, but because they had not sufficient duties to perform, and in consequence had shown a desire to magnify their office and create expense. Instead of complaining that the Vote was not larger, he thought it might be dispensed with altogether.

MR. W. H. SMITH, while bearing testimony to the ability with which the Commissioners did their work, declined to enter into the grounds on which the claims for increase of salary had been refused. He deprecated the practice of Members on either side advocating the increase of salaries of public officers.

Vote *agreed to.*

(13.) £6,665, Registrar General's Office, Scotland.

(14.) £82,783, Board of Supervision, Scotland.

House *resumed.*

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

SUPPLY—REPORT.

SUPPLY [18th February].

Postponed Resolutions [reported 23rd February] *considered.*

Resolutions again read, as follow :—

(4.) "That a sum, not exceeding £90,178, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of Her Majesty's Secretary of State for the Home Department and Subordinate Offices."

(9.) "That a sum, not exceeding £33,500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Charity Commission for England and Wales."

(10.) "That a sum, not exceeding £22,893, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission."

Mr. MACDONALD said, he would move to reduce the item of £7,500 for travelling expenses for Inspectors of Mines by the amount of £500. There ought to be a detailed account of the manner in which the money was expended. He wished to see the Inspectors well paid, but the fact was, they only visited the office of a colliery, and not the mine itself. The fairest way to pay them would be by piecework.

Amendment proposed to the Fourth Resolution, to leave out "£90,178," and insert "£89,678,"—(*Mr. Macdonald,*)—instead thereof.

Question proposed, "That '£90,178' stand part of the Resolution."

Mr. PEASE considered the proposal an illogical one. The hon. Gentleman wished to secure a more efficient inspection, and the way he proposed to effect that was by cutting down the travelling expenses of the Inspectors. These expenses were paid by the Home Office, and in order to prevent any excuse for the Inspectors not travelling they were paid the money out of pocket, and 7*s.* 6*d.* per diem for rations. He believed the Inspectors performed their duty in a satisfactory manner, and hoped that the House would not consent to the proposed reduction.

Mr. KNOWLES also supported the Vote. The Inspectors did their work thoroughly, and when they visited a mine were always ready to go below on the representation of the men. Their duty would involve the necessity of large travelling and other unavoidable expenses, and he was sorry that any reflection had been cast on them, for they were most energetic and able men, and were, in his opinion, underpaid.

Sir HENRY SELWIN-IBBETSON said, that the tendency of the present system of inspection was to increase the expenses. The office with which he was connected had last year issued a Circular for the purpose of securing a more careful inspection, and he hoped the Vote would be agreed to.

Mr. BURT said, he did not find any fault with the Inspectors, but considered the travelling expenses too large, and wished to know whether there was any efficient control over the charges which they made?

Mr. D. DAVIES objected to any reflection upon Inspectors of Mines, who were a useful body of men.

Mr. ASSHETON CROSS said, that the travelling expenses of these Inspectors were sent in detail to the Home Office, and examined.

Mr. MACDONALD said, with the leave of the House, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Resolution *agreed to.*

On the Ninth Resolution,

Mr. JAMES said, he objected to the recent appointment of the Chief Commissioner, on the ground that he had not had so much experience as the office required, and would move that the Vote be reduced by the sum of £2,000.

Amendment proposed to the Ninth Resolution, to leave out "£33,500," and insert "£31,500,"—(*Mr. James,*)—instead thereof.

Question proposed, "That '£33,500' stand part of the Resolution."

Mr. ONSLOW was sorry that the hon. Member had thought right to criticize this appointment of the Government; for, on the contrary, he was of opinion that the Government had exercised a wise discretion in appointing Sir

Seymour Fitzgerald to this important post. It was true that Sir Seymour Fitzgerald had not practised long at the Bar; at the same time, when he was first called he went regularly the Northern Circuit, and pursued his occupation as a barrister until a fresh field was opened to him; but what they wanted as Chief Commissioner of Charities was not a profound lawyer, but a man of ability, good sense, and experience, and the right hon. Gentleman had shown in that House, as a Member of a former Government, and in India, that he possessed all those qualities. He hoped that the Amendment would be withdrawn.

MR. MONK, while admitting the talents of the right hon. Gentleman, contended that it was necessary that the Chief Commissioner of Charities should be not only a barrister of 12 years' standing, but one of great and varied experience. No appointment that had been made by Her Majesty's Government had caused such widespread dissatisfaction.

SIR H. DRUMMOND WOLFF said, Sir Seymour Fitzgerald had had considerable experience as a lawyer, and the appointment was a wise one.

MR. MUNDELLA said, there was no desire to attack the character or ability of Sir Seymour Fitzgerald, but the only question was whether the Government had not put a square peg into a round hole. He declared that privately he had heard the appointment much more strongly denounced by Conservative than by Liberal Members, and more than one hon. Member had assured him that it was the greatest mistake the Party had made. He considered it a flagrant abuse of the patronage of the Government.

MR. DISRAELI: Notwithstanding the denunciation of the hon. Gentleman who just sat down, I trust I shall be able to satisfy the House that the appointment of Sir Seymour Fitzgerald was a good one, and certainly made for no consideration but the good of the public service. He is an able and distinguished man; and although it may be said that that had nothing to do with it, I say it had, and that it is of great importance to bring such persons forward occasionally by appointing them to situations which some people out-of-doors think ought to be the monopoly of permanent and close bureaucratic arrangements. He has been a Member of this House for upwards of a quarter of a century, and at the time that the late Lord Derby formed his first Administration filled the important office of Under Secretary of State for India with conspicuous ability. He was afterwards appointed Governor of Bombay, and it was chiefly by his great exertions and zeal that the Abyssinian Expedition was so successful. In point of fact, he is the man fit for the situation to which he is appointed. The Act of Parliament requires that two of the Commissioners shall be barristers of 12 years' standing, and in this case all three of the Commissioners are in that position. In making the present appointment, I considered that it was not so much a question of appointing a man of great legal experience and high legal knowledge as a man of the world, who would not take a contracted or pedantic view of his position. What was required was a man altogether superior to prejudice—a man of that enlightenment which an able man who had been 25 years in the House of Commons could not fail to possess. I accordingly recommended the appointment of Sir Seymour Fitzgerald to Her Majesty as that of an individual who was perfectly competent to discharge the duties of the office, and if my right hon. Friend retains his health, I have not the slightest doubt that he will discharge them to the satisfaction and general benefit of the public.

THE MARQUESS OF HARTINGTON said, that at all times it was disgraceful to enter into personal considerations of this kind, but it was more particularly so at a time when they were told that the subject of discussion was seriously unwell. The right hon. Gentleman opposite objected to the remarks which had been made in regard to the appointment; but he had omitted to refer to that which was the real objection taken to the appointment on that—the Liberal—side of the House. The right hon. Gentleman said that the Act of Parliament required that two of the Commissioners should be barristers of 12 years' standing, and he had accurately stated that all the three Commissioners possessed that qualification. What was really objected to was that the right hon. Gentleman had appointed a Gentleman who was only technically qualified. He did not deny the ability of Sir Seymour Fitzgerald, and the public services which he had rendered; but he did think there was something in the objection that the right hon. Gentleman was only technically qualified. The real question was, whether Sir Seymour Fitzgerald passed the legal qualifications which the Act contemplated, and which in this particular instance were evidently evaded.

Sir PATRICK O'BRIEN said, he would venture to say that there were many hon. Gentlemen walking the hall at Westminster for 15 years without his (Sir Seymour Fitzgerald's) qualifications. He thought that Sir Seymour Fitzgerald possessed the capacity necessary for the administration of a great public Department; and though he did not say he was the very best man that could have been appointed, yet he (Sir Patrick O'Brien) had known of other Governments which had made appointments far less meritorious.

Question put.

The House *divided*:—Ayes 137; Noes 71: Majority 66.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

Mr. O'SULLIVAN thought that, as it was now 1 o'clock, the House ought not to be called on to proceed any further.

Mr. FAWCETT said, he would move the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Fawcett.*)

Mr. DISRAELI thought that after the decision which had just been announced, and after the House had so strongly expressed its opinion, this was a monstrous proposition. He trusted the hon. Gentleman would not persist in his Motion.

Mr. FAWCETT said, he had no wish to take another discussion upon this particular Resolution, but he thought the consideration of the Report of Supply should not be carried further.

Motion, by leave, *withdrawn.*

Resolution *agreed to.*

The Marquess of Hartington

Major O'GORMAN: I adjourn the House. [*Laughter.*]

Mr. O'SULLIVAN: Sir, I beg leave to adjourn the House. [*Much laughter.*] Then, Sir, I beg to adjourn the debate. I find I am still wrong. I beg leave to move the adjournment of this debate.

Mr. DISRAELI: If the House agree to the Motion, the remaining Resolutions on the Report will be postponed.

Motion *agreed to.*

Further Consideration of Postponed Resolutions *deferred* till *Monday* next.

WAYS AND MEANS.

Resolutions [February 24] *reported,* and *agreed to.*

Bill on the First Three Resolutions *ordered* to be brought in by Mr. Raikes, Mr. Chancellor of the Exchequer, and Mr. William Henry Smith.

Bill on the Fourth Resolution *ordered* to be brought in by Mr. Raikes, Mr. Chancellor of the Exchequer, and Mr. William Henry Smith.

Bills *presented,* and read the first time.

POOR LAW GUARDIANS ELECTIONS (IRELAND) BILL.

On Motion of Mr. Callan, Bill to provide for the Election of Poor Law Guardians by Ballot in Ireland, *ordered* to be brought in by Mr. Callan, Sir Colman O'Loghlen, Mr. Maurice Brooks, and Mr. Downing.

Bill *presented,* and read the first time. [Bill 88.]

House adjourned at a quarter after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 28th February, 1876.

CHAIRMAN OF COMMITTEES.

Ordered that the Viscount Eversley do take the chair in all Committees upon Private Bills in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by this House.

MALAY PENINSULA.

OBSERVATIONS. ADDRESS FOR PAPERS.

Lord STANLEY of ALDERLEY, in rising to call the attention of the House to the state of things in the Malay

Peninsula and to move for Papers, said: My Lords, I shall commence by stating that the Secretary of State for the Colonies has suggested to me to wait for a despatch which he expects from Sir William Jervois; but as that despatch can have little reference to the greater part of what I desire to place before your Lordships, or to the Questions that require an answer from Her Majesty's Government, and as reports continue to arrive of the plunder and burning of villages by the officials of the Straits Settlements, it appears necessary to call your Lordships' attention without delay to the state of things in the Malay Peninsula. It might have been expected that the noble Earl the Colonial Secretary would have laid Papers on the Table at the commencement of the Session—since these affairs were more important than those of the Gambia. A paragraph in the Speech from the Throne refers to the military operations and loss of valuable lives in that country; and it is a matter of satisfaction to find an expression of regret for the loss of those lives, for which loss the Secretary of State for the Colonies is primarily responsible—as also for the bloodshed, injustice, and expenditure which have occurred, and which may follow later. The same paragraph of Her Majesty's Speech says that the military operations have re-established the just authority of this country. I hope to show to your Lordships that some of those operations and losses of life have happened in countries where there is not even a semblance of just authority on the part of England. Her Majesty's Government will perhaps inform your Lordships whether all the military operations in Perak and also in Sunghi Ujong, which is more than 100 miles away from Perak, and which had nothing to do with Mr. Birch's death, were undertaken by their instructions or at the discretion of the Colonial Governor? The Correspondence relating to the affairs of the Malay Peninsula shows that the Duke of Buckingham on the 22nd of April, 1868, Earl Granville on the 10th of September, 1869, and the Earl of Kimberley on the 26th of August, 1871, all warned the Governors of Singapore that they were not to enter into formal negotiations with Malay Princes, nor to extend the responsibilities of Her Majesty's Government without specific instructions. It becomes, therefore, equally unaccountable either that Sir Andrew Clarke should have appointed Residents, and that Sir William Jervois should have assumed the Government of Perak by officials of his own without instructions, or, on the other hand, that the noble Earl the Secretary of State should have reversed the policy laid down by his Predecessors, and by the Indian Government, without either informing Parliament of his intentions, or taking proper precautions to carry out his measures without the loss of valuable lives. I must ask your Lordships to go back a little to the causes of the recent events. The Secretary of State on a former occasion (May 19, 1874) informed your Lordships that the pirates in the tin mines of Larut had rendered British intervention necessary—but a dispatch of Sir Henry Ord of July 24, 1873 (No. 13 of the Blue Book), re-establishes the truth that the Chinese disturbers of the peace of Larut all proceeded from Singapore and Penang, and drew supplies and munitions from Penang without restriction. A despatch of the Earl of Kimberley of December 22, 1873, to Sir Andrew Clarke, says—

> "I feel the same difficulty as Sir Henry Ord in understanding how these factions can have been supplied from Penang with junks, boats, arms, ammunition, and provisions, unknown to the authorities of that settlement. Such a state of things must not be allowed to continue, and I request that you will impress upon the Lieutenant Governor that I expect the utmost vigilance to be exercised to prevent Penang from being used as the base of operations for carrying on an armed conflict within a neighbouring friendly State.

This is sufficient to prove to your Lordships that it was from what Sir Henry Ord names, "want of due vigilance." That the pirates mentioned by the noble Earl (the Earl of Carnarvon), and who have been the pretext for Sir Andrew Clarke's intervention in January, 1874, originated in Penang and not in the Malay Peninsula. I must now refer to No. 14 of the Blue Book: a despatch of the Earl of Kimberley of September 20, 1873, to Sir Andrew Clarke, which desires him to report on the condition of affairs in each State, on the measures he would recommend, and on the advisability of appointing a British officer to reside in any of the States; this despatch concludes—

"Such an appointment could of course only be made with the full consent of the Native Government, and the expenses connected with it would have to be defrayed by the Government of the Straits Settlements."

Well, instead of reporting as he was instructed to do, Sir Andrew Clarke, *mero motu*, makes an engagement with one of the claimants to the Throne of Perak, and with certain Chiefs, which was made reluctantly, for the appointment of Residents in Perak and Larut, at a cost of £2,000 each, to be a first charge on the revenues of Perak, although in his despatch of January 26, 1874, No. 39, he says—"This charge would be gladly borne by the Straits' Government." In this despatch, Paragraph 39, and in another of the same date, No. 40, he admits that he has exceeded his instructions. These despatches were answered by the noble Earl (the Earl of Carnarvon) on the 6th of March, 1874, No. 43, and the hesitating language of this despatch contrasted with the decided language of the noble Earl's Predecessors. This despatch said—

"As far as your explanations enable me to judge, I am disposed to hope, that without unduly compromising Her Majesty's Government in the internal affairs of these States, your proceedings may have the effect of allaying disorders and promoting peaceful trade. I have formed no opinion as to the salaries which should be received by the Resident and Assistant Resident, if Her Majesty's Government should determine to sanction these appointments."

In this despatch the noble Earl feared that a resident might perhaps compromise Her Majesty's Government, does he now not fear annexation? The next document in the Blue Book is an address to the noble Earl (the Earl of Carnarvon) from the Straits Association. This probably accounts for the noble Earl having departed from the instructions given by his Predecessor (the Earl of Kimberley), and saddling Perak with £4,000 a-year for remedying the effects of the want of due vigilance on the part of the Penang Government. I will now ask leave to remind your Lordships of what took place in this House when I called your Lordships' attention on the 19th May, 1874, to the arrangements made by Sir Andrew Clarke. I pointed out then that these arrangements must lead to the conquest of Perak, and that the Straits Press was asking for the conquest of the whole Malay Peninsula, and entreated Her Majesty's Government not to sanction these arrangements, and in any case to appoint respectable men, and not to allow these officers to be called Residents, a designation, which was associated with ideas of conquest, and acquisition of territory. The noble Earl (the Earl of Carnarvon) declined to make any reply, such as might have discountenanced all desire for conquest, neither did he allow your Lordships and the country to know what was being prepared underhand and in secret. But he told your Lordships that the Malay Peninsula was "the fairest portion of the earth." He again used the same expression, and said the Fiji Islands were the fairest portion of the earth, when he invited your Lordships to consider the acquisition of those Islands. Doubtless in that midnight complaint poured into the ears of Jezebel, Ahab also described Naboth's vineyard as "the fairest portion of the earth;" and the tactics adopted in the case of Naboth's vineyard have been adopted in the case of the Malay Peninsula also; for as men of Belial were set up to bear false witness against Naboth, so also men in Singapore and elsewhere have set themselves up to bear false witness against the Malays, and to accuse them of being pirates. I need not trouble your Lordships with proof that the accusation of piracy made against these States of the Malay Peninsula is unfounded; that matter has been amply and satisfactorily disposed of by a letter from Sir Benson Maxwell, well known to be a person of weight and experience in those countries, published in *The Morning Post* of Tuesday, the 15th of February. I have also here the letter of a Mr. Bain, who navigated in the Straits of Malacca for 11 years, between the years 1847 and 1864, and he never heard of any piracy, nor saw there any suspicious craft; and I have a letter from a lawyer in Penang showing that the so-called Chinese piracy of Larut originated in Penang. The noble Earl will remember that I repeatedly, both in the House and out of it, pointed out to him the nature and character of the officials proposed to be appointed as Residents, and that such appointments must lead to a disaster. It has been pointed out by others in the following passage in a letter to *The Times*, in the Blue Book (No. 44), which was sent to the Colonial Office by the Straits Association:—

> "The success of Sir Andrew Clarke's experiment, however, will depend materially on the personal character of the Resident who is to represent British power and to exercise British influence. If he is liked and respected by the Malays, he will lead them easily, as the Brookes have done in Borneo. But to be liked and respected he must understand them, their language, character, and habits; he must be patient, cool, and firm, and he must be sober, truthful, and incorruptible."

It is easy to see that this portrait is drawn from life of what a Resident should or should not be. If the noble Earl the Secretary of State should dissent from my assertion that unfit men were appointed as Residents, I shall be obliged to ask him to lay before your Lordships the late Mr. Aitchison's letter, and the correspondence on the subject between the noble Earl and myself at the end of 1874 and beginning of 1875. The noble Earl will, however, hardly attempt to deny it, or else how could he account for not having confirmed these appointments made by the Straits authorities? When Sir Andrew Clarke proposed an arrangement to the Chiefs of Perak in January, 1874, he established Raja Abdullah as Sultan of Perak, instead of Raja Ismail, who had been elected Sultan three years before, and who had been recognized as Sultan by former authorities of the Straits, and by the greater part of the country. He did this, notwithstanding that he knew that Raja Abdullah was addicted to opium, and from passages in Mr. Irving's Report, it is pretty clear that he was selected because it was hoped that he would be a more pliable puppet in the hands of the Straits Government. It was alleged later by Sir William Jervois that the Residents did not succeed in the objects for which they were appointed, though Captain Speedy appears to have done a great deal at Larut, at least by his own account. Now, I would ask the noble Earl whether he gave these Residents any instructions as to the performance of their duties, or whether he left them to find them out by the light of nature? I have been lately reminded that the noble Earl the Secretary of State for Foreign Affairs, when addressing some students at Addiscombe before they proceeded to India, told them that they would each represent this country in India—that no civil officer there can have any private life. Did the noble Earl address any such advice to his Residents. I would say a few words about these Residents. Captain Speedy was under more favourable circumstances than any of the others, for he had few besides Chinese to administer, and he came to Larut not as a nominee of the Straits Government, but as one who had entered the service of the Mantri of Larut. These Residents it was supposed were to inculcate lessons of order and economy in finance, but the Resident in Larut at once erects a residency worthy of a colonial Governor. *The Penang Gazette* speaks of its "noble proportions" and centre room 70 feet in length. He then provides himself with a bodyguard of Chinese, dressed in blue satin tunics and red circular hats, and he appears to have no fewer than 17 elephants at his disposal for a picnic for his Penang friends. In his Report he invariably speaks as though he were the Ruler of the country, instead of the adviser of the Ruler. He mentions having circulated the copper coin of the Straits, and having forbidden the coin of the country to be received in the Larut Treasury. As a natural consequence the coin of the country fell into disuse; and he says that, owing to the scarcity of copper coin, only 97 cents instead of 100 can be obtained for the dollar in the Larut bazaars. He then reports that he established a Court in which, as nearly as possible, he always follows the Indian Penal Code. Now, the late Mr. Iltudus Pritchard, in commenting on that Code, says that its authors appear to have thought that he who invented a new crime conferred a benefit on the human race. Mr. Speedy did not, however, usually administer this complicated code himself; it was administered by a late clerk in some trading firm in the Straits. During the year 1874, 770 persons were tried by this Court. Now, though Larut has been represented as full of truculent pirates, there was only one trial for attempt to murder; 186 were tried for assaults, 97 for unlawful assembly, an offence more consistent with a department in a state of siege under a French Prefect, than with a Malay State and a British Resident; and 11 were tried for breach of conservancy: I do not know what offence that is, unless it be the new crime Mr. Pritchard said the authors of the code wished to invent. Of the administration of the Perak Residency

I will say nothing on account of its unfortunate termination; but as something has been said of it in the newspapers, I shall be glad to hear any defence of it from the noble Earl. Then a Mr. Davidson was appointed Resident in Salangore; it was known that he had advanced large sums to Tunku Dhya Uddin, and this was an obvious objection to his appointment, yet Sir Andrew Clarke excuses this appointment by stating that he had transferred his claims to Messrs. Guthrie—a transfer which, on the evidence of the Blue Book, is palpably colourable. No reply of the noble Earl to this dispatch of Sir Andrew Clarke appears in the Correspondence. Sir William Jervois then by proclamation, and acting without instructions from home, as he stated to his Legislative Council, altered the arrangement made by Sir Andrew Clarke, and vested the government of Perak in his own officers. He professed to do this on the authority of Sultan Abdullah, the man whom the Straits Government had set up instead of the Sultan who had been reigning for three years. A man whom Sir William Jervois knew to be incapacitated by opium, and who, even had he been the lawful ruler of Perak could have no authority or power to transfer the allegiance of his subjects to foreigners. This usurpation by Sir William Jervois, carried out so indiscreetly by Mr. Birch, would perhaps be sufficient to account for the attack on that officer. The speech of Her Majesty mentions representations to the Chinese Government, and an inquiry into the lamentable outrage in Yunnan. Why was no similar inquiry made into the circumstance of Mr. Birch's death? Was it because China was stronger than this Malay State? Will the noble Earl the Secretary of State say whether or not Mr. Birch had caused one or more Malay Chiefs to be flogged, whether he had or had not burned down people's houses, as reported by a *Times* Correspondent, and done acts which were tyrannical in one who was not a Ruler, but only an adviser of the Ruler? If the consent of Raja Abdullah to Sir William Jervois's assumption of the Government of Perak gives a semblance of authority to the Straits Government in Perak, that cannot be alleged in another country where no such transfer of the ruling power took place. Yet Sir William Jervois, when he had obtained troops, invaded Sunghi Ujong, a country separated from Perak by the State of Salangore. As Sunghi Ujong is not in all the maps, the case will be better understood by comparing the Malay Peninsula to Italy. Perak corresponds to Tuscany, Salangore to the States of the Church, Malacca and Johore to Naples, and Sunghi Ujong would correspond to Benevento or some place in the Kingdom of Naples, in the interior, on the southern slopes of the Appenines—so that it is separated from Perak by Salangore, or the States of the Church. A battle was fought in Sunghi Ujong, in which eight of Her Majesty's troops were killed. So little was it believed in this country that a general invasion of the Malay Peninsula was being carried on that *The Times* fell into natural mistake of describing this action as having occurred in Perak. It will be remembered that it has been alleged that the intervention in the Malay Peninsula was dictated by a desire for civilization and the welfare of the Malays. Here is one of the results of Sir Andrew Clarke's policy as described by *The Straits Times*—

> "Great dissatisfaction has been expressed amongst the troops at the disposal of the money derived from the sale of the cattle captured in Sri Menanti by the troops. They were afterwards sold by public auction in Sunghi Ujong, and although only realizing a wretched average of 7 dollars a-piece, the total sum amounted to nearly 1,500 dollars, and this sum has been placed to the credit of the Sunghi Ujong treasury, to cover part of the expense of the expedition."

I prefer not to use any words of my own to describe the acts of the Straits authorities and their troops in Sunghi Ujong, lest some should think them excessive and others inadequate. I will therefore place before your Lordships the comments of two of the principal newspapers of Singapore. *The Straits Times* of January 8 says—

> "We must confess that in reading our special correspondent's description of the march of Colonel Clay's column in Sunghi Ujong . . . . . it rather jars on one's feelings to read that Captain de Fontaine and his Arabs brought up the rear with orders to burn and destroy everything as they advanced, which order they carried out in the most emphatic manner."

The Straits Observer, of January 4, says—

> "We do not know what our French, German, or American fellow-colonists may think, but Englishmen must feel very small when they

> read in yesterday's *Straits Times* the accounts so unctuously given of the proceedings of the British force now operating in Sunghi Ujong. Mind, we have invaded the country without cause. We have not a murdered officer to avenge, as in Perak, nor have we any treaty, convention, pact, or agreement of any kind to justify our placing our foot on their soil against the inhabitants' wish, nor have these people done more than defend their country against invaders, who will assuredly rue the day they did so as soon as the news reaches England."

When the Colonial Press expresses itself in this manner, it fully exonerates me from any charge of precipitation in calling the attention of the House to such proceedings, and to the way in which they have imperilled the fair fame of England. Your Lordships will have observed that a force of Arabs are mentioned, who made a blackened line through what has been called the "fairest portion of the earth." I believe these men were collected from various nationalities: certainly no Arab among them would be received by his respectable fellow-countrymen. Their leader is a Canadian Frenchman, with traditions of Huron and Iroquois warfare. Should not this remind the noble Earl of Lord Chatham's protest against such warfare and such allies? A little before this time a notification was made by the Colonial Office that no measures were to be taken for the annexation of any part of the Malay Peninsula. This order from the Colonial Office does not appear to have had any effect, or to have been attended to. Is it possible that when this telegraphic order was sent out the telegraphic cable did not work, for at one time an interruption took place? But how is it that although the murderer of Mr. Birch has been reported to have been killed operations are still continued and more villages are burned? Is it intended to drive out all the Malays from Perak to make way for Chinese immigrants? Does the Colonial Office propose to establish a Chinese colony in Perak, and has it counted the cost of maintaining troops in Perak, without which the Chinese faction fights will continue? The Malay population was formerly looked to as a counterpoise against the enormous Chinese immigration into the Straits Settlements. The Malays never gave us any trouble. That element of safety is now removed, and the strength of the Chinese will be greatly increased. Then there is the incident of the burning by a young Civil officer of the house and property of a Chinaman, who had given information about Mr. Birch, but had not saved his life. Can the noble Earl say whether he has inquired who was the perpetrator of that disgraceful act, and how he has dealt with an official capable of such conduct; and will he inform the House whether he has yet ordered compensation to the Chinaman for the loss of his property? Will the noble Earl inform your Lordships how much his policy has already cost the country in lives and expenditure, and whether as many lives have not been lost as in the Ashantee Expedition? How many officers and men have died of jungle fever or cholera besides those that have been reported? To conclude, will Her Majesty's Government justify the bloodshed which has taken place, and state whether they or the officials in the Straits are directing the measures which have involved this country in a course for which it was entirely unprepared, of invasion and conquest. I would suggest that the best way out of these embarrassments would be to re-instate Sultan Ismail, the *de jure*, and till Sir Andrew Clarke's intervention the *de facto* Ruler of Perak. To convert the Residents into Consuls, respectable men depending on the Foreign Office, like Her Majesty's Consul in Siam, or under the Indian Office, if the Foreign Office will not have them, and to purge the administration of the Straits. On a former occasion I pointed out the disorganized state of the Government of the Straits Settlements as a reason for not undertaking further responsibility in the Malay Peninsula. Since that time there has been little improvement, and at this time the number of "unconfirmed" officials and acting appointments, are the subject of general complaint in the Straits, and in the Colonial Press. I then mentioned that the system of "virements" or transfer of unexpended balances, as the noble Earl then named it, or of spending money for a purpose different from that for which it had been voted had become general in the Straits Government; I should fear that this bad example has affected the noble Earl himself, since he has eked out the resources of the Fiji revenue by transferring an unexpended Judge of Penang to Fiji. I gather from the newspapers that out of four Judges belonging to the Straits, only one is at his post. Perhaps the noble Earl follows the maxim, "*Inter Arma silent leges.*" But the non-official members of the Legislative Council at Singapore do not agree with it, and gave to the Governor this protest for transmission to the Secretary of State.

"Legislative Council, Singapore,
"Oct. 29th, 1875.

"We, the undersigned, non-officials members of the Legislative Council in the Straits Settlements, respectfully protest against the decision of the right hon. the Secretary of State, as conveyed by a despatch, dated 5th August last, to charge the Colony with the half salary of the Judge of Penang during his absence connected with, or whilst engaged in, the duties of Acting Chief Justice of Fiji. And we furthermore protest against any portion of his salary, whilst so employed, being charged to the revenues of this Colony; because, if it is considered that, without injury to the interest of Penang, one of its Judges may be granted an extension of leave for the purpose of undertaking a special service in no way connected with the Straits Settlements, it is only just and fair that the Colony should be relieved of all expense connected therewith, because it is alienating the revenue for Imperial or other purposes with which this Colony has nothing whatever to do, and establishing a precedent prejudicial to its interests.

"(Signed)
"H. A. K. WHAMPOA, J. SHELFORD, THOMAS SCOTT, R. LITTLE, R. B. READ.

"Singapore, 29th Oct., 1875."

Last Saturday's newspapers announced that Mr. Whampoa had received a decoration of St. George and St. Michael, at the noble Earl's recommendation. Perhaps the noble Earl will inform your Lordships why he has not also rewarded the other four sturdy and independent defenders of financial order, especially Mr. Read, who has long enjoyed the esteem of his fellow-colonists.

Moved That an humble Address be presented to Her Majesty for further Correspondence respecting the Malay Peninsula.—(*Lord Stanley of Alderley.*)

THE EARL OF CARNARVON said, their Lordships would hardly expect him to follow step by step the extremely discursive, not to say rambling, statement of the noble Lord. Two hours, he thought, would scarcely suffice to follow the noble Lord in the multitudinous points he had brought before their Lordships, if anything like a clear explanation was to be given on those points. There were, however, some points on which he felt bound at once to state the facts—and this not because Her Majesty's Government were attacked, but because the charges brought forward by the noble Lord bore unfairly and unjustly against persons who were absent from this country. He must protest against the course taken by the noble Lord. When the noble Lord mentioned to him his intention to bring this question under the notice of Parliament, he told the noble Lord that the Government had every desire that it should be brought before Parliament; but that the Papers were not yet complete, owing to one despatch, which Sir William Jervois considered essential to a thorough understanding of the case, not yet being among them, and the Government thought that in justice to all parties concerned the case ought not to be presented to the Legislature till the Papers were complete. Notwithstanding that, the noble Lord had thought fit to proceed in a business which it was absolutely impossible rightly to understand without the Papers. The noble Lord had spared no one in his sweeping censure—he had used very strong language indeed as against Her Majesty's Government and as against other persons concerned in the late transactions in Malaya, including by implication the noble Earl the late Secretary for the Colonies; but the noble Lord had intimated that since the present Colonial Secretary received the Seals of office there had been a great change in the policy of the Colonial Office as regarded the Malay Peninsula. It would have been well if the noble Lord had given any kind of proof in support of that assertion; but not one tittle of evidence had he brought forward to support his statements. No doubt, from the first the noble Lord had been an universal and indiscriminate prophet of evil. When he (the Earl of Carnarvon) came into office he stated in a despatch that he did not feel it necessary to make any change in that policy, but approved the provisional appointment of the Residents. He thought the circumstances which had subsequently occurred showed he had acted with caution. The Papers, which he hoped to lay on the Table before many days had elapsed, would show how the case with respect to those

Residents really stood, and when the noble Lord had read them he would be likely to find good reason why he should modify the opinion he had expressed that evening. If the noble Lord's speech had been simply an attack upon Her Majesty's Government he should have left it unanswered—at least, until the Papers had been laid upon the Table; but the noble Lord went further, and imputed blame of the severest kind to the officers who were employed in the suppression of the disturbances—persons who had done no more than their duty, and had done it, he believed, with great moderation and forbearance. He could not justify himself if he were to sit in that House and hear the statements of the noble Lord with reference to those officers and allow them to go uncontradicted. A very wise and wholesome rule prevailed in their Lordships' House that when any Member of it intended to bring a charge against the conduct of another Member he should give notice of that intention to the person concerned.

LORD STANLEY OF ALDERLEY was understood to say that he had not brought charges against the personal character of the officers.

THE EARL OF CARNARVON said, the noble Lord, in the remarks he had made, had put forth to the whole world that our officers had sanctioned a system of violence, cruelty, and devastation which if true would have been highly censurable. If such charges were to be brought against any Member of their Lordships' House, the rule to which he had referred required that notice should be given him beforehand. If that was only fair in the case of men who could attend in their places and on the instant reply to the charges made against them, how much stronger was the necessity for notice in the case of officers serving at distant stations? But though notice had not been given to those officers, he (the Earl of Carnarvon) happened to have at hand some documents from which he could quote extracts to meet the charges of violence, cruelty, and devastation so lavishly scattered by the noble Lord. In the Papers which he would lay before their Lordships within a week or two were passages from Instructions written by Sir William Jervois and by the principal officers engaged in the operations to which he now begged to call the attention of their Lordships. On the 22nd of November Sir William Jervois wrote—

> "There is, however, one broad principle which I should desire to guide you as far as possible, and which I wish you to impress, not only upon the officers in command of the forces, but upon the officers commanding any expedition—viz., to avoid, as far as possible, the punishment of the innocent along with those engaged in armed resistance to the Government of Perak. I am aware that under present circumstances it is difficult to discriminate; but, so far as possible, with a due regard to the safety of our own forces, I desire that all places shall be treated as friendly until there is evidence to the contrary, and that punishment shall, as far as possible, be confined to places where resistance is made."

On the 7th of December Major General Colborne, commanding, issued these Instructions—

> "The Major-General commanding desires that in camp and on the march all officers will give particular attention to the prevention of the appropriation of property of any kind except by order and by regular payment. The setting fire to or destruction of property, except under orders from competent authority, is strictly forbidden. It is important that all natives of the country and others (with the exception of those in arms and opposing the advance of the troops) are to be held as friendly, and to be treated with consideration, and encouraged to bring in supplies for the use of the troops."

General Ross, the next in command wrote—

> "Captain Young moved his party in a similar manner up the right bank to a village of the same name. His orders were to collect any arms, but not to destroy or injure houses or property, as the inhabitants have been well disposed."

From the next extract he had to read it would be seen that General Colborne felt it necessary to order fire to be opened and loss to be inflicted on a particular place; but he expressed a regret for having to do so, and alleged that it was necessary. He wrote—

> "I have instructed Major Amiel to open fire on this place, and to inflict such loss as he may be able to; also to land and destroy houses and property in the vicinity. Much as this necessity may be regretted, I see no other means of endeavouring at once to stop the commencement of a practice which, if allowed to extend, might be followed up by disastrous results. A detachment of 50 men, 3rd Buffs, and 50 Goorkhas arrived here yesterday under command of Colonel Storey. It is my intention to desire Brigadier-General Ross, C.B, to send an additional 100 men of the 3rd Buffs to Blanja, so that I may be enabled to send a detachment to occupy Bhota or the neighbourhood."

He (the Earl of Carnarvon) thought it would be found that every one of the officers, whether superior or subordinate, constantly followed out the line of general instructions laid down by Sir William Jervois and the General in command—namely, to avoid destruction of property whenever it was possible to so. So far as he could see, there had been no wanton destruction of property, and certainly no wanton destruction of life, on our part. He could see no traces of anything which justly deserved the name of excess. It was impossible that war could be conducted without many things occurring, which everybody ought to regret; but when the officers engaged in the Malay operations were found laying down instructions which strictly forbad destruction of property, and enforcing respect towards the lives and possessions of the well-disposed Natives, he thought it hard, cruel, and monstrous that any Member of their Lordships' House should make such charges against those officers as the noble Lord had brought forward on no better foundation than scraps from the local papers. He should not go into the whole of the transactions; but their Lordships would remember that the disturbances arose with the murder of Mr. Birch, who was at the time acting as Resident. Troops were sent to the spot, and the disturbances in Perak were being brought to an end, when, in consequence of a fight between two Chinese factions, it became necessary to order two detachments of troops to interfere for the purpose of restoring peace. At the time of these occurrences, a further disturbance arose on the frontier. A pass was seized and stockaded, and at that pass a concentration of Malays was effected. No doubt that was a most serious moment. Had the authorities shown any vacillation or irresolution, the disturbances might have extended so widely that they would have become a general war. Our troops were re-inforced, and the stockade was carried in a most gallant manner. It was found that the chiefs of the villages were in the stockade at the time the successful attack was made upon it. Until the Papers had been laid upon the Table of the House it would be impossible satisfactorily to discuss the policy of our action in the Malay Peninsula either past or future; but he felt bound to say that he had no doubt whatever that the course which had been taken by us in that Peninsula during the last few months had been the means of saving this country from one of those little, but costly, wars with which we were too familiar. Had the Government hesitated or vacillated instead of acting as they had done with vigour and energy, the war would have spread from one end of the Peninsula to the other. The murder of Mr. Birch had taken the Government by surprise, and it had been followed immediately by a considerable local disturbance which, for the moment, placed our people there in a most critical position. There were but few troops on the spot, and, to increase the difficulty, the telegraphic communication at this important moment was imperfect. Fortunately, however, troops were obtained from Hongkong and from India, and in the course of a very few weeks 3,000 men were collected there; and it was to that rapid concentration of our troops at the point of danger that our final success was due. Had the number of men brought together been fewer, or had they been assembled more slowly, the consequences might have been most disastrous. The noble Lord had found no word of praise for the military and naval officers and men who had taken part in the Expedition; but in his (the Earl of Carnarvon's) judgment both the sailors and the soldiers who were engaged in it on this occasion, as they always did, had shown the greatest gallantry, they had performed the most arduous duties, and had surmounted the most formidable difficulties; and, in short, both services had shown those qualities which always distinguished them, and upon which the country could invariably rely with the most absolute certainty. It was not for him to claim credit for Her Majesty's Government in this matter; but he might venture to express his opinion that they deserved some amount of credit for the fact that they were alive to the danger and that they concentrated their forces in time. It was not so very long ago, while India was under the control of the East India Company, whose Government the noble Lord looked back upon with so much regret, that a similar disturbance occurred in the same part of the country. It being met in a somewhat feeble and vacillating manner, our troops were routed and two of our guns were taken. It being necessary that the ignominy we had sustained should be wiped out, more energetic steps were ultimately taken; but it was only after a 12 months' severe fighting that the campaign was brought to a satisfactory conclusion. If any further proof were required of the fatal effect which delay and vacillation in the conduct of such a war entailed, we had only to look at the result of Dutch operations in Sumatra, where for the last two years that nation, in the same country, against the same race, and under almost the same conditions, had been wasting life and treasure unsuccessfully, just because they could not make up their minds in the first instance to send out a force of sufficient strength to accomplish their object. He must further point out that, much as he regretted the necessity for sending out this Expedition, it had in one respect been eminently useful; because not only had we succeeded in bringing three of the murderers of Mr. Birch to trial, but indirectly we had shown such nations as Burmah and China that English justice would pursue its object under all difficulties, and had given them to understand how great a Power we were in the East. In conclusion, he asserted that while our military measures had been well and efficiently carried out, the greatest moderation and forbearance had been exhibited; and he expressed a strong hope that before any long time had elapsed all enmities in the Peninsula would be composed, that fitting punishment would be inflicted upon the murderers of Mr. Birch, and that order and peace would be restored in what might be well termed one of the fairest parts of the world.

THE EARL OF KIMBERLEY said, he entirely concurred with the noble Earl in the view that it was impossible to discuss this subject satisfactory until the whole of the Papers relating to it were upon the Table. He had no desire to disclaim any responsibility that properly belonged to him; and was ready to admit that although he had not actually sanctioned the act of Sir Andrew Clarke in appointing a Resident in the Peninsula, still he was at first inclined to think that step promised well; and in fairness to that gentleman he must observe that he had had no opportunity of expressing any official opinion on the course he had pursued. He preferred, however, not to express a more decided opinion on that matter until he had seen the Papers relating to the subject. But upon another point adverted to by the noble Earl—namely, the conduct of our naval and military forces engaged in the Expedition—there was no reason whatever for delaying to express our opinion, heartily and frankly. The despatches of the commanding officers had been laid before the public both by the Government and the newspapers, and, whatever might be our opinion upon the general policy of the Expedition, every one must feel that the manner in which the operations were carried out reflected the highest credit upon all concerned; and it was not without considerable pain that he had heard the remarks of the noble Lord (Lord Stanley of Alderley) in reference to this subject. The conduct of both our naval and our military forces was beyond all praise, and they had promptly and courageously discharged their duty under circumstances the difficulties of which were by no means to be underrated. As regarded alleged acts of inhumanity committed by our men, he felt bound to accept fully the denial of the accuracy of those imputations which had been given by the noble Earl, and he should be surprised and bitterly disappointed if it should turn out that there was the slightest foundation for them. No doubt many things were done in a state of war which afterwards caused regret; but after all it must be remembered that war was war, and it must be expected that some things would occur which would occasion painful reflections. But on the whole, he thought that the conduct of our naval and military officers and men engaged in this Expedition would be found to deserve the approbation of that House.

LORD STANLEY OF ALDERLEY said, in reply, that he complained of the noble Earl's putting words into his mouth to obtain cheers from his Friends. He had said nothing of Her Majesty's troops; he had spoken of an Arab force, and M. Fontaine was not in Her Majesty's *Army List*. The noble Earl had given no answer as to what these forces were doing in Sunghi Ujong. As he (Lord Stanley of Alderley) was not a military man, he had not given any opinion of the military operations from a military point of view.

On Question, *resolved* in the *negative*.

House adjourned at half-past Six
o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, 28th February, 1876.

MINUTES.] — Select Committee — Parliamentary and Municipal Elections, *appointed.*

Supply—*considered in Committee*—Civil Service Estimates — Class II. — *Resolutions* [February 25] *reported.*

Public Bills — *Second Reading* — Exchequer Bonds (£4,080,000) * [89]; Consolidated Fund (£4,080,000) *.

Second Reading—Referred to Select Committee—Manchester Post Office * [72]; Epping Forest* [66].

Committee—Report—Marriages (Saint James, Buxton) * [79].

Third Reading—Drainage and Improvement of Land (Ireland) Provisional Orders * [71], and *passed.*

PRIVILEGE—22 GEO. III. c. 45—THE MESSRS. ROTHSCHILD.

QUESTION.

Mr. BIGGAR asked the First Lord of the Treasury, Whether, or not, in the opinion of the Law Officers of the Crown, the proposed payment to Messrs. Rothschild, one of which firm being also a Member of this House, of a commission of 2½ per cent. on the amount of the Suez Canal Purchase, brings the said Member within the provisions of the Act 22 Geo. 3, c. 45; and, if so, what action the Government propose to take on the subject?

Mr. DISRAELI: Sir, it does not appear to me that this Question ought to be addressed to Her Majesty's Government, and I may say further, that on referring to the statute which the hon. Member has mentioned, I am doubtful whether it ought even to be addressed to the Law Officers of the Crown. I read in that statute that which indicates that it is a question neither for the Government nor for the Law Officers, but one for Her Majesty's Courts of Law. It says that any Member of this House offending under the circumstances referred to shall forfeit the sum of £500 for every day on which he sits or votes in this House to any person who shall sue for the same in any of Her Majesty's Courts at Westminster. In these circumstances, as it appears to be open to any of Her Majesty's subjects to sue for that penalty, I think it is not for the Government or for the Law Officers of the Crown to give any information on the subject, but for those who are directly interested in the question.

Sir NATHANIEL ROTHSCHILD: Sir, I hope the House will allow me to make a personal statement on this matter. I feel it my duty to declare that I am not a partner in the house of which my father is the head, either in London or Paris. I have no doubt that the House will accept that statement from me; but, if it is necessary, I am authorized by my father to say that the deed of partnership of the firm of Rothschild, both in London and on the Continent, can be inspected by any one whom this House may choose to appoint.

RAILWAYS—THE PASSENGER DUTY.

QUESTION.

Lord CLAUD HAMILTON asked Mr. Chancellor of the Exchequer, If the decision of the House of Lords in the case of the North London Railway upon the two points; first, of stoppage of trains at every station; and, secondly, the charge on third class return tickets, will lead him to make any modification or re-adjustment in the mode of assessing the Passenger Duty?

The CHANCELLOR of the EXCHEQUER, in reply, said, he understood that the decision of the House of Lords was in favour of the Board of Inland Revenue in regard to the mode in which the duties were to be levied on passengers, and not only confirmed the view which the Inland Revenue Board always contended for, but carried it somewhat further. It was the intention of that Board to adhere to that which they had always maintained was the proper mode of assessing passenger duty; but they would not attempt to avail themselves of that part of the judgment which seemed to carry their claim further than they had previously applied it.

AGRICULTURAL HOLDINGS (SCOTLAND)—LEGISLATION.

QUESTION.

Sir ALEXANDER GORDON asked the Lord Advocate, Whether it is the intention of Her Majesty's Government to bring in a Bill this Session for amending the Law relating to Agricultural Holdings in Scotland?

The LORD ADVOCATE, in reply, said, that a Bill on the subject had been prepared, and he was authorized to state that it would be introduced in the House of Lords on an early day by the Lord President of the Council.

PUBLIC HEALTH (IRELAND)—VACCINE LYMPH.—QUESTION.

MR. MELDON asked the Chief Secretary for Ireland, Whether he will consider the desirability of placing the Cow Pock Institution under the control of the Irish Local Government Board, and of increasing the grant to such institution so as to enable vaccine lymph to be supplied gratuitously in Ireland as it is in England?

SIR MICHAEL HICKS-BEACH, in reply, said, he believed that the institution referred to was a private one, and, he therefore could not say how far it was possible to put it under the control of the Irish Local Government Board; but if the grant should be increased in order to enable vaccine lymph to be supplied gratuitously in Ireland, he thought the administration of such increased grant should be under the control of that Department, and he was now engaged in a correspondence with a view to effect that object.

ARMY—ACCOMMODATION FOR SOLDIERS.—QUESTION.

MR. ALEXANDER M'ARTHUR asked the Secretary of State for War, If it be true, as reported, that in Fort Gomer, Gosport, there are in No. 3 Room three men, three women, and nine children; in No. 4 Room, two men, three women, and nine children; in No. 14 Room, three men, three women, and nine children; in No. 15 Room, three men, three women, and eight children; and that in none of the rooms referred to are there partitions, screens, or curtains; and, if it be true, that there are similar instances of over-crowding also in Fort Grange; and, if so, whether steps will be taken to remedy such over-crowding?

MR. GATHORNE HARDY, in reply, said, that in respect to Fort Gomer the statement in the Question was correct, except as to the number of children, which was smaller. The rooms were large rooms, and at night curtains were put up, though they were not kept up during the day, because, being casemates, they would obstruct both the ventilation and the light in the day time. Unfortunately, those forts were not near a place where lodgings could be procured, and the men submitted to inconvenience rather than be separated by a distance of two miles from their work, their comrades, and the reading rooms. In the case of Fort Grange, there were two families in those rooms which were built for 14 men, and therefore, as far as cubic space was concerned, there, as also at Fort Gomer, there was ample space for the inmates. He would endeavour to see what could be done, but the matter was one of extreme difficulty, because there was not barrack accommodation in the neighbourhood. However, every provision would be made by the officer in command as far as possible to preserve decency and order.

COAL MINES — USE OF BLASTING POWDER.—QUESTION.

MR. MACDONALD asked the Secretary of State for the Home Department, If he has yet had the opinions of the Inspectors of Mines laid before him on the use of blasting powder in fiery mines; and, if he has had such Report, if he will lay the same upon the Table, with the Report on the Swaith Mine Explosions?

MR. ASSHETON CROSS, in reply, said, he had received the opinions alluded to, together with the Report, and both would be laid on the Table.

EGYPT—GENERAL FADEIEFF.

QUESTION.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether there is any truth in the report that General Fadeieff, an officer of the Russian Staff, is about to be appointed Minister of War in Egypt?

MR. BOURKE: From the reports received at the Foreign Office, it appears that General Fadeieff, at the request of the Khedive and with the consent of the Russian Government, has proceeded to Egypt, and it was supposed that he would be employed in the re-organization of the Egyptian Army. No confirmation of this supposition has been received as yet. There does not appear to be any intention of appointing him

Minister of War, that post being now held, and its duties efficiently performed, by his Highness Hussein Pasha, the Khedive's second son.

ARMY—SALE OF COMMISSIONS—THE ROYAL WARRANT OF 1870.

QUESTION.

Colonel EGERTON LEIGH asked the Secretary of State for War, Whether there is any intention of altering the Royal Warrant of the 29th December 1870, by which six weeks must elapse after an Officer has made application to sell his Commission before such permission is granted, he being possibly very ill or in a dying state; if he would explain to the House why such permission cannot be granted in consequence of the expense, and how it should cost the country one million sterling if such permission were granted to an officer applying to sell at once; and if an Act of Parliament be requisite to cancel the Clause mentioned, why it should not be brought in?

Mr. GATHORNE HARDY: There is no intention of altering the Royal Warrant referred to. I appear to have been misunderstood in what I have said on this subject with respect to the amount involved. What I said or meant to say was that the change proposed would seriously reduce the saving of £1,100,000 taken credit for in the original Estimate. Officers remain in precisely the same position in this respect as before the abolition of Purchase, and I cannot undertake to bring in a Bill to alter it, however much I may feel for surviving relations in certain cases.

FIJI ISLANDS—THE EPIDEMIC.

QUESTION.

Mr. KINNAIRD asked the First Lord of the Admiralty, Whether he will lay upon the Table of the House the Report of the Court of Inquiry which was held to investigate the circumstances connected with the lamentable introduction of measles into Fiji by Her Majesty's ship "Dido?"

Mr. HUNT, in reply, said that no Court of Inquiry had been held with respect to the introduction of measles into Fiji, but there were some Papers on the subject, including a report of the captain of the *Dido*, which he would lay upon the Table.

MERCHANT SHIPPING ACT—THE "STRATHCLYDE."—QUESTION.

The Marquess of HAMILTON asked the President of the Board of Trade, Whether any official inquiry will be held in order to ascertain the cause of the Dover Harbour authorities, as reported, not rendering timely assistance to the passengers and crew of the steam-ship "Strathclyde," whereby lives were lost which might, it appears, have otherwise been saved?

Sir CHARLES ADDERLEY: The Coroner's jury having found a verdict of "Manslaughter" against the master of the *Franconia*, it is impossible for the Board of Trade to institute an inquiry into the sinking of the *Strathclyde* until they know the issue of any proceedings which may be consequent on that verdict. Nor can they order an official inquiry into the conduct of the Dover Harbour authorities except as a part of an inquiry into the casualty. The Dover Board are, however, making a thorough investigation into the conduct of the master of the *Palmerston*, the harbour tug.

MERCHANT SHIPPING ACTS—GRAIN-LADEN VESSELS.—QUESTION.

Dr. KENEALY asked the President of the Board of Trade, Whether he will have any objection to lay upon the Table of the House a return of the number of British vessels laden with grain in bulk which have been totally lost, with their crews, within the last twenty years?

Sir CHARLES ADDERLEY: I find it difficult to ascertain what grain ships are loaded in bulk which are afloat; I should therefore despair of finding what grain ships loaded in bulk have gone to the bottom during the last 20 years. If a Return were asked of the number of grain ships, however loaded, which have been lost during half that period—that is, since *The Wreck Register* began—it might be made with a good deal of trouble and expense; but what end would be served? No one disputes that a grain cargo is a very dangerous one, and the Government are using their utmost efforts to check its mode of stowage under the provisions of the recent Act.

CRIMINAL LAW—THE CONVICT EDWARD O'MEAGHER CONDON.

QUESTIONS.

MR. PARNELL asked the Under Secretary of State for Foreign Affairs, Whether the Government have any information as to an instruction by the House of Representatives of the United States of America to their Foreign Affairs Committee, to inquire into the circumstances of the conviction of Edward O'Meagher Condon, an American citizen; and to report whether the United States should interfere by a remand for his release or an appeal to British clemency; and, whether the Government will lay before the House information as to the charge upon which Condon was convicted, his sentence, and present place of imprisonment?

MR. BOURKE: On the 28th of February, 1874, a Petition was submitted to the House of Representatives in the United States by Mr. Banning, Member from Ohio, with reference to the case of Edward O'Meagher Condon, and on the 3rd of April a resolution of the House of Representatives was passed requesting the President to cause a representation to be made to Her Majesty's Government favouring the release of the convict. That resolution was referred to the Senate Committee on Foreign Relations, where it remained until the 2nd of March, 1875. On that day the Chairman of the Committee brought it before the Senate, and asked to be discharged from the further consideration of it. That request was agreed to, and the resolution of the House of Representatives referred to by the hon. Member was thus disposed of. A telegram has appeared in the papers within the last few days announcing that the House of Representatives have lately passed a resolution similar to that passed in 1874, but no official information has reached us on the subject.

MR. PARNELL asked the Secretary of State for the Home Department, Whether Edward O'Meagher Condon, an American citizen, is now a prisoner in Spike Island Convict Prison; and, if so, whether he has been handcuffed or chained in his cell during any portion of his imprisonment; and, if so, how often, and for how long a period, and for what reasons such punishment has been inflicted?

MR. ASSHETON CROSS: The hon. Member must have been misled by information he has received. The prisoner named is not in Spike Island Convict Prison and never has been there. He has never been handcuffed and has never been chained.

PARLIAMENT—POSTPONEMENT OF ORDERS OF THE DAY.

RESOLUTION.

Ordered, That the Orders of the Day be postponed until after the Notice of Motion relating to the loss of H.M.S. " Vanguard."—(*Mr. Disraeli.*)

LOSS OF H.M.S. " VANGUARD."

MOTION FOR A PAPER.

MR. GOSCHEN, on rising—

> "To call attention to the loss of H.M.S. Vanguard and the proceedings taken subsequent thereto; and to move for a Copy of further Correspondence relating thereto."

said, that a very few words would, he trusted, be enough to justify the course which he took. As he had said before, he should have preferred that the First Lord of the Admiralty should have himself delivered a statement upon the subject in the first instance, as it would, perhaps, have been possible for the right hon. Gentleman in that case to have given a clearer and more consecutive history of the transaction; but when asked to adopt that course, the right hon. Gentleman replied, in a tone of cheery pugnacity that he would give him (Mr. Goschen) an opportunity of taking the opinion of the House in the matter. But what it was desirable to know was, not the opinion of the House, not the opinion of outsiders—that had already been sufficiently expressed—but the views of the First Lord of the Admiralty himself with reference to the loss of the *Vanguard* and the many questions so vitally affecting the interests of the Navy which were involved in that disaster. All they knew so far of what the right hon. Gentleman had done, was contained in a Minute which scarcely covered a page. All they knew of what the right hon. Gentleman had thought upon the subject was derived from a gay and festive speech he had made at a civic feast, in which he spoke with enthusiasm of the ramming powers of the *Iron Duke*. It would not, however, do for the right hon. Gentleman to assume such an air of complacency, as if he had no story to tell unless he were challenged upon the point. It was not he (Mr. Goschen) who arraigned the right hon. Gentleman. He had been arraigned at the bar of public opinion, and he (Mr. Goschen) had brought forward his Motion in the interests of the Service and the interests of justice in order that the whole truth of the matter might be elicited. He might, indeed, have followed a different course. It would have been easy to frame a Motion for which everyone could have voted who on different grounds objected to the celebrated Minute. There had been few documents of so short a character to which more objections had been taken. He would state some of them historically rather than controversially. Some objected to the Minute because it superseded without reason assigned, and curtly enough, the decision of the Court-martial. Others objected to it, because it announced a complete and exhaustive inquiry, while it was believed that a complete inquiry had not been made. Others objected to it because it appeared lenient to the Admiral and captains and severe upon the lieutenants. Others objected to the Minute, because it did not seem to go to the root of the whole business, because, while the Court-martial had sat only upon the conduct of the officers of the *Vanguard,* the conduct of the officers of the *Iron Duke* had not yet been dealt with. It would have been easy enough to frame a Motion, and if he had submitted one—that in the opinion of the House the Admiralty Minute had failed to satisfy the exigencies of the case and was inadequate to the occasion, there would have been a very general feeling in favour of it, and as he was at present advised it would have received unanimous support out-of-doors. He said as at present advised, because he felt that the right hon. Gentleman the First Lord had not yet been heard, and until he had heard him, he was unwilling to put a Notice on the Paper of what would have been a speculative attack; and hon. Members sitting on both sides of the House would not have been able to speak with that frankness and that impartiality which was so essential to the interest of the Naval Service, and he had therefore thought it best to simply call attention to the subject so as to have a frank and impartial discussion. They were there to hear the right hon. Gentleman now; and he hoped he had, in dealing with this matter, pursued a course which would commend itself to the House. How deeply the country had been stirred on this question was well known, but it was impossible to exaggerate the impression which this disaster had made on the Naval profession; and he knew that the words which would fall from the lips of the right hon. Gentleman the First Lord of the Admiralty and the mode in which the subject would be dealt with in that House would be watched with the deepest interest and personal anxiety by every member of the whole Naval Service. Let him state how the accident happened. The *Vanguard* belonged to what was called the Reserve Squadron, which was on its annual cruise, exercising the Coastguard men for a month at sea. At least that was the purpose; he should have to call attention to how that was fulfilled by-and-by. The fleet was under the command of Admiral Tarleton. It left Kingstown at 10.30 on the 1st of September. The *Achilles* parted company almost at once, and the remaining ships proceeded in single line, the *Warrior*—the flagship—being followed by the *Hector*; then came the *Vanguard,* commanded by Captain Dawkins, and the *Iron Duke,* commanded by Captain Hickley. The speed ordered by the Admiral was 33 revolutions, intended to give a speed of about seven knots. It was about a quarter past 12 when the Admiral gave orders to change the formation. The squadron was to be formed in columns of division in line ahead. To put it more popularly, the two sternmost ships were to take up positions parallel with the *Warrior* and *Hector* instead of following astern, and to effect this object the *Vanguard* and *Iron Duke* turned off at right angles from the other line. They proceeded four cables length—that was, 800 yards distance — and when they had reached that distance they had again to turn sharp round to the right and place themselves abreast of the *Warrior* and *Hector*. But the *Warrior* and *Hector* did not slacken speed, and as the *Vanguard* and *Iron Duke,* in order to get abreast the *Warrior* and *Hector,* had to perform a greater distance, the *Vanguard* and the *Iron Duke* dropped astern. The Admiral at the time was standing away. A little later, about 12.30, a fog descended upon the ships. At 12.26 a signal-gun had been fired by the Admiral, but it was not heard by the ships astern—in fact, the Admiral had lost control of the two ships. About the same time the captains of the two ships, the *Vanguard* and *Iron Duke,* left the deck, and the two ships were in charge of lieutenants. When the fog came on, the lieutenant of the *Iron Duke,* fearing to steer in the wake of the *Vanguard,* gave a sheer to port—that was, he moved a little out of line to the left, in order, in this dense fog, not to be immediately behind the ship in front. The captain, coming on deck, said—"You have done wrong; you should have remained behind;" and he gave an order to turn back again to the right and get into position. Meanwhile, Captain Dawkins had also come on deck, and he, misconstruing the orders in the Signal Book, directed speed to be reduced, making such signals as occurred to him —but there was unfortunately some confusion on this point—to the ship behind. The ship behind did not answer the signals, and why? Steam had not been put on to the steam whistle on the *Iron Duke.* At this moment Captain Dawkins saw, or thought he saw, a ship in front of the *Vanguard* in the fog, and he ordered the engines to be stopped, and gave his ship a sheer to the left. At the same time the captain behind him was giving his ship a sheer to the right. The speed of the ship in front had been reduced, the speed of the ship behind had been increased, and the two ships came into collision almost at right angles, the *Iron Duke* striking the *Vanguard* a deadly blow. That was the case as simply as he could put it. He had said that the squadron were at sea for the purpose of exercising the Coastguard, in pursuance of a plan which was introduced in 1869 by the right hon. Gentleman the Member for Pontefract (Mr. Childers) who had made changes in the organization of the Coastguard, eliminating the civilian element and creating a force of 4,000 picked men. It was arranged that, in order to keep them up to the mark in modern ships and modern guns, half of the Coastguard should be taken to sea every year for a cruise, and these men had been reported on by many Admirals, who declared that they formed the finest material for manning their ships. Captain Dawkins had stated in his evidence that upon that day he was short of his complement and had a young crew; but how about the Coastguard men? They had all been landed before the 1st of September, and the *Vanguard* was at sea with her depôt crew alone. She was undermanned, because she had been retained on the cruise after the object for which she had been placed on it—the training of the Coastguard men—had been attained. The ships, he might add, on board which the Coastguard were embarked for sea were iron-clads, and there were various reasons why that class of ship was employed in that service. Those iron-clads were stationed round the coast as administrative centres, and, being stationary for a great part of the year, they had small crews, because it was deemed undesirable to lock up in stationary ships a larger number of men than was absolutely necessary. For the same reason no midshipman and no sub-lieutenants were on board them, and the work which should be done by those officers was done by warrant officers of experience. The ships, besides being administrative centres, took crews of Coastguard men to sea for a month or five weeks, and lastly, while they constituted a very powerful Reserve of iron-clads, available at a moment's notice for going into action, if required, by simply increasing their crews. They were, in short, most valuable ships, forming, as they did, a sort of Reserve Channel Squadron. He hoped the House would forgive him for so long a digression, but he thought he was in reality lightening the task of his right hon. Friend at the head of the Admiralty by entering into those particulars. He next came to the question how it was that Admiral Tarleton was in command of the Squadron. When his right hon. Friend the Member for Pontefract acceded to office the Coastguard Reserve was a separate establishment, and formed a small Board of Admiralty, with a Controller and 17 clerks, which carried on an elaborate correspondence across the street with the office at Whitehall, the post of Controller being held by Admiral Tarleton. The right hon. Gentleman the Member for Pontefract abolished that office and 17 clerks, and took the management of the Coastguard Reserves into the Admiralty and put it under a Naval Lord, arranging for their inspection by placing them under the Admirals at Sheerness, Portsmouth, and Devonport, so that they should be under active naval inspection. The present Government had, however, reversed that plan, and they had restored in a different form and on somewhat different conditions the Controllership of the Coastguard, and the officer now occupying that position was called Admiral Superintendent of the Naval Reserves. The result had been, that choice was made for the position of an officer of administrative ability for administrative purposes. But, owing to that arrangement, they so hampered themselves that the officer so selected also became the officer who had to take command of these iron-clads on their cruise. In 1869 his right hon. Friend the Member for Pontefract had sent to sea Admiral Sir Cooper Key, an experienced officer, and in 1870 Captain Willes, in command of an Admiralty cruise similar to that in which last year the *Vanguard* was lost. Captain Willes had an appointment under the Admiralty, but not one of so important a character as that of Controller of the Coastguard. The first year he himself was at the head of the Admiralty Captain Willes again took command of the Squadron; but in 1872 he had occasion to reflect who should have the command, and he would tell the House frankly he had a feeling, which might now be almost called a presentiment, that there were weighty objections to placing in command of an active Squadron a Colleague of the Lords of the Admiralty. The disadvantages of the adoption of such a course had, he feared, received but too sharp an illustration from what had occurred. In saying this he wished to guard himself against being misunderstood. He most warmly repudiated any suggestion that the Naval Colleagues of the right hon. Gentleman now at the head of the Admiralty were actuated by any feeling of partiality in the opinion which they gave. He did not believe there was any such feeling among the Naval Officers whom the right hon. Gentleman consulted. The Board was the Board of the right hon. Gentleman, but it was an honest Board of honest sailors. Out-of-doors, however, the suggestion of partiality had not been absent; and he could not help regarding it as a misfortune that an officer so intimately connected with the Board was placed in command of the Squadron, because it was most desirable that not even the slightest suspicion of partiality should attach to such Minutes as that to which he was about to call attention in the public mind. Admiral Tarleton, he might add, but for peculiar circumstances, would have retired from the Active List in 1872; but there was in that year a vacancy at the Admiralty, and he was anxious to secure as his adviser and colleague a man who possessed the confidence of the Service, of great administrative ability, and of high character. In the opinion of those whom he consulted on the matter there was no better man to take into the Admiralty at the time than Admiral Tarleton, who, although service afloat was always more popular with naval officers, did not hesitate to undertake the performance of administrative work. There was the difficulty, however, on joining the Board, in his case, that he had chosen the New Regulations—that was to say, he would have retired at 60 under those Regulations—and he held the belief, which was shared by many naval officers, that he would not command the confidence and authority at the Admiralty which were desirable if he were there in the position of a retired Admiral. He therefore asked to be allowed the option of going back to the Old Regulations, so that he would not have to retire before the age of 65. It had been said that he sanctioned Admiral Tarleton's reverting to the Old Regulations after he had retired; but that was not so, for he had not yet reached the age for retirement, otherwise he would never have sanctioned the step. But, Admiral Tarleton having joined the Board, he allowed him to reverse his option for administrative purposes alone, for to admit of his doing so with the view of giving him an active command would have been against the whole spirit of the Regulations of his right hon. Friend the Member for Pontefract. But, be that as it might, when Admiral Tarleton joined the Board they found him a wise and loyal officer, and it was but right that he should state frankly and fully that when he (Mr. Goschen) left the Admiralty he considered Admiral Tarleton his personal friend, and one for whom he entertained the highest esteem. He had now stated to the House the nature of the cruise during which the *Vanguard* was lost, and how Admiral Tarleton came to be in command. He would now proceed to explain to the House the orders which were given, because they showed the spirit under which the Squadron went to sea. The first paragraph stated that—

> "The Squadron was to proceed to sea for the purposes of exercise and evolution both under steam and sail, and also with a view to test the efficiency of the crews in regard to seamanship and gunnery."

But looking further into particulars the House would see that their orders were that starting from Berehaven, the Squadron was to sail round Ireland to Queenstown. A very short time was allowed for the ships to be at sea, and if the House examined the Papers they would see that there were gaps of three or four days, during which the Squadron was to stop at certain places. Up to the 1st of September the Squadron had a very fine time of it indeed. The ships were not very much at sea; indeed they were scarcely at sea at all; they left one place at night and arrived at the next place on the following morning; and this was the Squadron which was to exercise its crews in "evolutions both under steam and sail." He had asked the First Lord of the Admiralty to state frankly how many entire days they had been at sea, and the right hon. Gentleman answered—"Seventeen days or parts of days," but did not state how many entire days the ships had been at sea. The fact was, that they had only been at sea four entire days, and that out of those four days they spent three between Portland and Berehaven. This cruise, considering the immense importance of exercising both the officers and men in seamanship, was ill-advised and ill-arranged. If the Squadron had been a party of Cook's tourists, who had attempted to go round Ireland without being at sea more than was necessary, they could not have followed a course much different from that which had been taken by the Squadron. What were the ships about during those important four weeks? They spent a little time at Galway, where there was a ball. They were at Belfast on the 25th, and stayed there till the 28th. At Belfast there was a lunch, a ball, a dinner, and a series of special entertainments. At Dublin there was a dance, but they declined to attend a ball, because they were "behind time." These were significant words. What was done then in the way of exercises and evolutions in the course of that cruise? During the whole of that cruise, if he might say so without being thought flippant, the only signals given were the waving of ladies' pocket-handkerchiefs, while the only evolutions practised were the intricacies of quadrilles. Why did the Squadron go to Cork? The instructions of the Admiralty to Admiral Tarleton were to the effect that it appeared expedient that the Squadron under his command should visit Queenstown in the first week in September for three or four days before the ships proceeded to their several destinations, and it was further ordered that the local authorities at Cork should be informed on this subject. But what had this to do with the exercising in seamanship and evolutions of the Coastguardmen, who only had an opportunity of being at sea for four weeks in the year? What was the meaning of their going to Cork? When he was in office a noble Lord who was not unconnected with the present Government and who had property in the North of Ireland, put some pressure upon him in order that the Reserve ships should visit the North of Ireland. He had not acceded to the request, but on the present occasion the Government had sent them to the North of Ireland, and the ships stayed there a long time; and he supposed that on the principle of concurrent endowment, this Squadron was afterwards to go to Cork. It almost seemed to him as if these festive arrangements had been made to celebrate the restoration of the Coastguard under a separate naval command. But whatever was the object with which the Squadron went to Cork and sailed round Ireland in this festive and triumphant way, it was a terrible comment upon these proceedings that before they had made the whole circuit of Ireland this terrible disaster occurred, reminding them that they should not tamper with these opportunities for exercising the officers and men. It was because he felt most strongly on this subject that he had called attention to it. He felt, and he believed the Naval Service also felt strongly, that such opportunities should never be neglected. The orders directed that on leaving Queenstown the *Vanguard*, after landing the men of the Southern Division, should proceed to Lough Foyle, there to remain till the end of October, and then to return to Queenstown. It was a very curious circumstance, however, that the *Vanguard* landed no men whatever at Queenstown, but that she landed all the men at Kingstown. Why, then, did she go south? She had a depôt crew, and

Admiral Tarleton said in justification of the course he took in regard to the handling of the Squadron that "the cruise had virtually terminated." He did not know how far this fact of the *Vanguard* being with a depôt crew when manœuvring in line might have created difficulties in saving the ship. She ought to have had a complement of considerably more than 500 men, but there were only 360 men on board when she went on the cruise to Queenstown; and he wanted to know whether if there had been 200 more men on board one day than the next this fact was not likely to produce disorganization? Indeed, Captain Dawkins admitted there was a difficulty in launching the boats and manning the pumps because the crew was a short one. An Admiral of considerable experience had told him (Mr. Goschen) that he would never allow a ship with a depôt crew to manœuvre in line with a Squadron—more especially after she had just discharged about 200 of her crew. His contention was that the *Vanguard* was not going to Queenstown for any naval or any Imperial purpose. The country would indeed be sorry if, in addition to the bitter humiliation it experienced at the loss of a ship of the kind, it had also reason to believe that the ship was lost for the sake of their going with four ships to show at Cork, and to enable the officers to attend a ball which was to be held there on the 2nd of September. He entirely agreed that there were times when the ships of the Royal Navy should be shown to the population, but for that purpose the Channel Squadron ought to be employed. The Reserve Squadron had such a short time allowed them, that great responsibility was cast upon the Admiralty if the cruise was not employed in the best way for training the officers and men. He now came to the circumstances under which the *Vanguard* was lost on the fatal 1st of September. The *Iron Duke* and *Vanguard* had moved to take a position abreast of the Admiral's flagship, and he would ask if warning had not been given as to the difficulties attending that manœuvre in the special circumstances of the case. As to the circumstances which preceded the collision, Lieutenant Thompson, of the *Iron Duke*, had described them very graphically. He said, the evolution having been successfully performed, and the flagship not reducing her speed, the *Iron Duke* was left very much astern. He called the attention of Lieutenant Evans to the fact, and said that he thought 50 revolutions did not appear to be sufficient. Lieutenant Evans then gave the order to go at the rate of 52, shouting down the tube to learn what that would be. Lieutenant Thompson then left the deck, but before doing so, he gave the following orders:—

> "Steer S. ½ E., close order; columns of divisions in line ahead; on no account get astern; look-out men are on the top-gallant forecastle, although there is no fog; but I perceive banks ahead, which will in all probability be on the ship in about half an hour."

The deck was then left in charge of Lieutenant Evans, but Lieutenant Thompson

> "remained to assist the signalman, knowing the fog-signals are the most difficult of all, and expecting an evolutionary signal would be immediately made by the flagship, or some signal relating to guns during a fog."

Thus there were warnings given before the collision. Almost at the moment that this officer was taking these precautions Captain Dawkins left the deck of the *Vanguard*, and Captain Hickley the deck of the *Iron Duke*, and a grave mistake was committed, a mistake which had been punished by the Admiralty—the mistake of sheering out of line. There had been warning as regarded the fog, but notwithstanding that, the steam was not put on to the steam whistle of the *Iron Duke*, and the consequence was that the *Iron Duke* was not able to make a signal at the critical moment. Why was this not done? Where was the judgment of the Admiralty upon this question? It was really not tried by the Admiralty. The result of the omission was that the *Vanguard* did not know when the *Iron Duke* was coming. At this moment the combination of circumstances appeared to have been exceedingly remarkable. The captains left the deck, the Admiral was standing away from his own signals, and though a gun was fired from the flagship, it was a small one. Two masses of iron, of 5,000 tons each, were ploughing through the water, the one in front reducing speed at the time when the ship behind was increasing speed. Who was in charge of the two ships? On board the *Iron Duke*, Lieutenant Evans, a lieutenant of three years' standing, about 460th on the list of Lieutenants; and on board the *Vanguard*, Lieutenant Hathorn, a lieutenant of one year's standing, who was 600th on the list. There was a million of money in these two ships; there were 900 lives on board; they formed an integral part of the British Navy; they were under the charge, as he had said, of two young officers, the one 460th, and the other 600th in *The Navy List;* a fog was coming down; both captains were off the deck; one then returned to rummage for his signals which were not ready; and the Admiral was standing merrily away. That was a picture which the country would not care to see repeated. Was seamanship displayed on this occasion? He hoped that in consequence of these sad events it would be the duty of the Admiralty to give naval officers increased opportunities of studying seamanship. At the same time, we must not decry science for the sake of seamanship. We wanted both. Scientific structures required scientific handling, and let it not be said that their naval officers studied too much. Seamanship and science both required honour at our hands. Upon that state of facts what was the judgment of the court martial? The court martial found that the collision was caused—

"1. By the high rate of speed at which the Squadron (of which these vessels formed a part) was proceeding while in a fog.

"2. By Captain Dawkins, when leader of his division, leaving the deck of his ship before the evolution which was being performed was completed, especially as there were indications of foggy weather at the time.

"3. By the unnecessary reduction of speed of Her Majesty's ship *Vanguard* without a signal from the Vice Admiral in command of the Squadron, and without Her Majesty's ship *Vanguard* making the proper signal to Her Majesty's ship *Iron Duke.*

"4. By the increase of speed of Her Majesty's ship *Iron Duke* during a dense fog, the speed being already high.

"5. By Her Majesty's ship *Iron Duke* improperly sheering out of line.

"6. By the want of any fog signal on the part of Her Majesty's ship *Iron Duke.*"

The verdict was thought a strong one, but then it was a strong Court. The officers composing it were practical sailors and men of acknowledged ability, and their verdict commanded confidence. He turned now to the decision of the Admiralty. After reciting the finding of the court martial, the Admiralty Minute proceeded as follows:—

"Their Lordships consider that the first cause assigned by the Court did not in any way contribute to the disaster. That the Vice Admiral in command was, under the circumstances of the case, justified in continuing the rate of speed ordered until the time when he made the signal to reduce it. . . . . Their Lordships are of opinion that the loss of the *Vanguard* is mainly owing, first, to the reduction of the speed of the ship, and, secondly, to the improper sheering out of line and quitting station by Her Majesty's ship *Iron Duke*, by the order of Lieutenant Evans, officer of the watch. Their Lordships attach no blame to Captain Hickley, of Her Majesty's ship *Iron Duke*, in respect of the speed of his ship at the time of collision, it being his duty to regain his station, and he being warranted in supposing that Her Majesty's ship *Vanguard* was maintaining the speed at which she was going when she was last in sight."

This decision was directly contradictory to the decision of the court martial on two points—first, as to the speed at which the Admiral was going, and, secondly, as to the speed at which Captain Hickley ought to have gone. The court martial, he had stated, was a strong body; how about the Board of Admiralty, who gave an adverse decision? It might be easy for him to follow the course which was frequently taken when he was in office—namely, to speak of the Admiralty as a kind of phantom Board with a civilian head, and no doubt hon. Members opposite would have contrasted this strong court martial, with its immense authority and its judicial powers, with that phantom Board with its civilian head. That, however, would not be fair criticism, and he should take that spectral cloak from off the Admiralty and show the flesh and blood of some most excellent naval officers beneath. When he had charge of the Admiralty there was a vacancy in the post of First Naval Lord, caused by the promotion of Sir Sydney Dacres. This was a time at which political opponents thought it consistent with their duty and the public interest to lower the authority of the Admiralty as far as they possibly could. He, however, was determined to raise that authority, and accordingly he looked for the best man he could find, and his choice fell on Sir Alexander Milne, the First Naval Lord of the right hon. Gentleman (Mr. Hunt), who was partly responsible for the Minute before the House. At one time he (Mr. Goschen) also was in trouble, like the right hon. Gentleman, when the *Agincourt* ran on a rock, and there was a court martial, which was followed by a Minute. But here, unfortunately, the parallel ceased. It was his misfortune that, as the result of his Minute, two Admirals were deprived of their commands, while the right hon. Gentleman had been fortunate enough to be able to confine his severity to one lieutenant. Well, when he had to find a successor to the Admiral in command of the

Channel Squadron, he took a man who was one of the best sailors in the British Navy, and also one of its most scientific officers — Rear-Admiral Hornby, now the Second Naval Lord of the right hon. Gentleman, and one of those responsible for the Minute before the House. The right hon. Gentleman's Third Naval Lord was Lord Gilford, who had commanded the *Hercules* for three years with signal success. He trusted the House would feel that he had done justice to the Advisers of the right hon. Gentleman opposite; and if he had spoken of the strength of the court martial, he had also spoken of the confidence which ought to be reposed in the professional opinion of those Advisers. Hon. Members would understand that he considered it his duty to speak frankly on this subject, if even it was in praise of the present Board of Admiralty. But, it was said out-of-doors that naval officers became too official when they joined the Board, and that officialism might have hampered their judgment. He would reply, that it would be a great misfortune if the moment naval officers joined the Admiralty they ceased to have the confidence of their brother officers out-of-doors; though in that House they sometimes found that when a Gentleman took office he lost the confidence of those whom he represented before. For his own part, he did not believe that the officers of the right hon. Gentleman were partial, and he had shown that they had strong sailor-like qualities for deciding questions of this kind. He had now, as far as any evidence of his own could do, set up for the right hon. Gentleman to the best of his ability the authority of his Board; but he was bound nevertheless to say that out-of-doors nine men out of ten, nay, 99 out of 100, had come to the conclusion that in this case the Admiralty had made a deplorable mistake. The House must distinguish between the responsibility of the right hon. Gentleman and that of his Advisers. The First Lord of the Admiralty would incur an immense responsibility if he were to throw over the advice of his professional Advisers; but it was for him to see that that advice was embodied in a wise, discreet, and proper shape. If he (Mr. Goschen) had had to deal with the case he would no doubt have ultimately followed the advice given by his Naval Advisers; but he would have stared with astonishment when first told that the orders given to the Squadron as to speed had nothing to do with the disaster. Then he would have asked some pertinent questions. He would probably have asked Admiral Hornby, because he had most recently come from the sea, what was his own practice in a fog; did he generally go fast or slow? He would have replied either that he generally went fast or that he generally went slow. If he had said he had gone slow, he would have followed the instructions of the Signal Book; if fast, he (Mr. Goschen), as the Instructions of the Admiralty gave a different order, would have made a mental note of the matter as an element in the conclusion at which he should arrive. The Signal Book of the Admiralty stated clearly enough what the course was to be—namely—"During fogs, the speed of the fleet, except under special circumstances—['Hear, hear!'] —shall not exceed three to four knots per hour." Then he would have got his answer — possibly he had got it as implied in that cheer. There were "special circumstances;" but, before he came to that point, he might have found out that in the opinion of some of the Admirals these Instructions would only hamper the discretion of Admirals, and that they dissented from the view that any hard-and-fast line like this order ought to be laid down at all. Then he would have made a note of that, in order to see how it might have affected their judgment. If the Board were unanimously of opinion that special circumstances justified the course that had been taken he would have given way, but only on one condition—that those circumstances were set forth on the face of the Minute. He would have said—"We are not going to abandon Admiral Tarleton, to a cry, if you are right. But, the fact that he is our Colleague, so intimately associated with us, increases the duty upon us to convince the Service that we are dealing with this matter in a fair and just spirit; and while I accept your advice you must accept mine upon one point. You must state the special circumstances in your Minute, and then offer it to the acceptance of the Service and the country." The Admiralty Minute, however, was absolutely curt; it reversed the opinion of the court martial, and it said simply: "under the circumstances," leaving it to be imagined what the circumstances were. That phrase, "under the circumstances," was a delightfully elastic one. He did not presume that, under it, they were to include a desire to get to Cork on a particular day. They were not to remember the statement made that they were behind time. As far as he could learn, the "special circumstances" of the case were the setting of a current in the direction of the Kish Bank, that bank lying to the right of the Squadron as it proceeded on its course. It was stated in the Admiralty Minute that the speed of the current setting towards the Kish Bank was such that if the speed of the Squadron had been reduced there would have been some danger of getting on to the bank, and that was the reason which induced Admiral Tarleton to proceed at the speed of seven knots in a fog. It naturally occurred to one to ask why, in that case, he could not reduce speed and change his course, and steer a little more to the left? If there was this danger of a current setting him on the bank, why not give the bank a wider berth? The possible answer might be, that it was dangerous to give two signals in a fog, as they would have to make a signal for reducing speed, and one for steering another course. If the right hon. Gentleman laid it down as a doctrine that two signals could not be made in a fog in the course of half-an-hour, the sooner there was more practice in signalling, or the sooner the signals were revised, the better. But he understood there was no such difficulty, and it would have been perfectly possible to change the course, if the current carried the Squadron nearer to the Kish Bank. There was, however, a remarkable circumstance connected with this which must not be forgotten. The Admiralty Minute gave a different signal which it was said the Admiral should have given, and which, if given, would have kept the Squadron better together. The Admiralty said that Signal 017 ought to have been made. He was curious to know what Signal 017 was; and the right hon. Gentleman had given a diagram to show how the ships would have been placed had they followed that signal of the Admiralty. They would have been placed four cables nearer to the Kish Bank, which in consequence of the current, it was stated, they wished to avoid. Admiral Tarleton might have fairly complained of that Minute, and said—"Had I followed the signal which you point out, it would have placed me nearer the danger which I kept up my speed to avoid." How would the right hon. Gentleman explain that? It would have been satisfactory if some report had been produced from the Hydrographer of the Admiralty showing how the current set. As regarded the wreck, evidence might be obtained as to the extent of the current by watching to see how far the *Vanguard* drifted after she came into collision. The right hon. Gentleman had produced a chart within the last few days, taken from the log of the *Warrior*, and probably it would be of some use to his right hon. Friend in one respect that night, because it afforded one scrap of evidence which was not before the court martial, but was before him when he made his Minute. The chart of the *Warrior* was produced to show that the course of the Squadron was rather more to the westward and nearer the land than the course laid down by the *Iron Duke* and *Vanguard;* but the right hon. Gentleman did not bear in mind that if the Squadron was steering a course nearer the shore, it would only show that the wreck had not drifted so much towards the land as would appear from the other charts before the House. He should like to know whether it was sufficient, in dealing with Admiral Tarleton's case, to have gone simply on the questions of speed and signals. There was another point, which was, that Admiral Tarleton had reported that the two ships were four miles astern when the fog lifted about 2 o'clock. It seemed the ships had been in collision, guns were fired, which were heard on board the *Warrior*, but not understood, and that after the collision Admiral Tarleton steamed away without looking after the two ships. Why, then, was there not a court martial upon him and a Court of Inquiry? He thought that as in the case of the *Agincourt* the late Government decided not to hold a court martial, it would scarcely lie with him (Mr. Goschen) to ask his right hon. Friend why a court martial had not been held; but he submitted to the House that there was a difference between that case and the present, where the Government had reversed the sentence of a court martial. What was felt was that this reversal was a serious error, and that even if there had been no court martial, the inquiry had not been so exhaustive and complete as it was stated to have been in the Minute now before them. But although he (Mr. Goschen) had spoken frankly of Admiral Tarleton, let it not be supposed that Admiral Tarleton had got off scot-free. He ventured to think that of the many officers who had been censured in these proceedings—he would not even except the lieutenant who was dismissed his ship—there was not one who had suffered more than Admiral Tarleton. Naval officers were not like case-hardened politicians, though even politicians thick-skinned, as they were supposed to become, did wince sometimes beneath the flagellation of hostile criticism. But for naval officers to whom distinction above their fellows was as the very sunshine of their lives, and praise for service well performed as the very food of Heaven, men who preserved each scrap of paper bearing record of success, from the first certificate for seamanship of the delighted midshipman to the letter of thanks from My Lords to the gratified Admiral when he laid down his command for distinguished services—for men such as these to see themselves involved in disaster, and to be held up for weeks and months, guilty or not guilty, punished or unpunished, to reproof and reproach, and to see the heavy hand of public opinion write an angry final line at the bottom of an unblemished page of a service of 40 years, was more than pain, it was positive torture, and he grieved from the bottom of his heart that in discharging his duty in this matter he might have added to the pain of a gallant and distinguished man. He came now to the case of Captain Hickley, and from enquiries he (Mr. Goschen) had made, he could state that it was entirely against the ordinary practice of the Service for a captain to leave the deck while an evolution was still in progress, and that that distinguished officer Lord Lyons used so to inform his captains when he took the command of a Squadron. The court martial remarked on the fact that Captain Dawkins left the deck before an evolution which was being performed had been completed, but he was not the only man who left the deck while an evolution was being performed, because Captain Hickley left the deck under precisely the same circumstances, and naval officers would see how far he must be held responsible. Three mistakes were made on board the *Iron Duke* in the absence of Captain Hickley. In the first place, Lieutenant Evans sheered out of the line on an erroneous interpretation of the regulations of the Service, and if the captain had been on deck that would not have been done. The disaster occurred, however, not through Lieutenant Evans steering to port, but in the correction of his error by Captain Hickley. Then as to the question of speed, the Admiralty said there was no blame to Captain Hickley for the speed of his ship at the time of the collision, it being his duty to retain his station, and he being warranted in believing the other vessels would retain theirs; but Captain Hickley admitted in the evidence that the *Iron Duke* was going faster than he himself knew. He did not know the ship was going at 60 revolutions at the time, but he had left the question of speed with the lieutenant who had given the order. And thirdly, who was responsible for steam not having been put on the steam whistle of the *Iron Duke?* He might add a further question. Why did not Captain Hickley think of taking the *Vanguard* in tow and towing her into shallow water? The navigating lieutenant of the *Vanguard* was censured at the court martial for not having suggested this to his captain, the opinion of the court martial being that there was shallow water close enough, and that such advice ought to have been given. He should like to know why Captain Hickley was not asked why he did not take the vessel into shallow water; but the fact was there had been no inquiry into the conduct of the officers of the *Iron Duke*. He would ask a similar question with regard to Lieutenant Evans. That officer gave an order and committed an error of judgment, and had been dismissed from his ship by the Admiralty Minute. He did not question the power of the Admiralty in the matter; but he questioned to a great extent the discretion which they exercised in dismissing that officer. That was not a professional but an administrative question, and the right hon. Gentleman might well have said—"Many officers have been censured, but only Captain Dawkins has been dismissed from his ship. We will censure this young lieutenant, but we will not dismiss him from his ship." That would have been a wiser and fairer course, and it would not have caused that bitterness in the Service which had been caused by the

Admiralty. Lieutenant Evans also had not been tried, and had not had the opportunity of giving any evidence which he might have adduced with respect to the practice of other officers. He heard that it was by no means uncommon, although it was against the Regulations, for an officer to take precisely that course which Lieutenant Evans took on that occasion. It was even whispered abroad—he knew not whether it had reached the right hon. Gentleman—that the *Hector*, the ship following the *Warrior*, the flag-ship, also sheered out of line on that particular occasion, and did not follow strictly in the wake of the flag-ship. [Mr. HUNT said, it had reached him only to be contradicted.] That was one of the inconveniences of his speaking before the right hon. Gentleman, who would pardon him if he raised points which, though perhaps easy of contradiction, ought to be put fairly before the House with a view to their proper explanation. But how much better it would have been if that contradiction had come out in evidence given before some Court of Inquiry, instead of after all that time had elapsed, and so much damage to the Service had been done! He had stated some of the points which made the Minute incomplete, and whatever explanations the right hon. Gentleman might give that night could not disprove that the Minute was too inconclusive, too curt, and very inadequate. He would only ask the right hon. Gentleman a few more questions. [*Laughter.*] If he did not ask them, they would be asked by the country and by the House. He wanted to know what the right hon. Gentleman proposed to do in consequence of that disaster, and of the deficiencies which had been shown to exist in our naval officers? Let the right hon. Gentleman tell the House not only what he had done with respect to the past, but what he proposed to do about the future. For instance, as regarded the extract from the General Signal Book, that during fogs the speed of the fleet, except under special circumstances, should not exceed three to four knots per hour—had the right hon. Gentleman repealed that article or not? [Mr. HUNT: I have not done so.] Then they might expect to have this difficulty—that the special circumstances would be differently interpreted by different captains and Admirals. He thought the right hon. Gentlemen's Naval Advisers would have told him that while that might be a wise regulation in itself, it would not be wise to maintain the rule after the decision that had been given. Again, had he taken any measure with regard to the gun signals, which seemed to have been so inefficient? Captain Dawkins said that he had his guns loaded in the night, but not at the critical moment in the daytime. Other officers said there were no look-outs posted at the stern. Was that so? Had the right hon. Gentleman gone through that evidence and mastered it in such a manner as to be able to assure the Naval Service that every possible measure would be taken to remedy those evils which they knew had occurred? Again, let them hope as to the future that the right hon. Gentleman would not be discouraged by the disaster which had happened from sending the ships to sea, making them cruise in squadrons, and exercising the officers and men. If he were to relax his efforts because he was staggered by that calamity, his conduct would be both perilous and pusillanimous. But the right hon. Gentleman must draw the line. The cruises should be business cruises—not cruises in which there was more display and speech-making than actual exercise. And now he had discharged his task, and while apologizing if he had displayed any undue warmth, he would only say that he did not wish to treat that in any degree as a Party subject. He wished the truth to be elicited, and he said most frankly that in the interests of the service, against which so many reproaches had been levelled, in the interests of the officers incriminated, in the interests of discipline, which was so much weakened when any blow was struck at those set in authority, and in the interests, also, of justice itself, he hoped that the right hon. Gentleman would be able to make what was called a triumphant reply. But the right hon. Gentleman must remember that he had not only to defend himself, but that in the sight of England and of Europe the fair fame of British seamanship had been jeopardized by what had occurred. The right hon. Gentleman was not only the Member of a political Administration, which would suffer from blame imputed to himself; he was also at the head of the Naval Service; he was on that occasion their spokesman and champion, and if he wished to represent them worthily, he entreated him to discard the language of apology and extenuation, and to speak simply the language of determination and of truth. He must not speak again in that tone of jaunty indulgence about a few blunders having been made. He must show the House that he grasped the full import and appreciated the gravity of those great questions that so vitally affected the nation which had been involved in that sad disaster. The right hon. Gentleman coucluded by moving the Resolution.

Motion made, and Question proposed,

"That there be laid before this House, a Copy of a further Minute relating to the loss of H.M.S. 'Vanguard.'"—(*Mr. Goschen.*)

Mr. HUNT said, that the right hon. Gentleman had told them at the beginning of his speech that he regretted that the First Lord of the Admiralty had not volunteered an official statement to the House on the loss of the *Vanguard.* That regret the right hon. Gentleman had expressed before; but he (Mr. Hunt) must say that he thought the course he had taken was the right one, because it was not usual for the Minister in charge of his Department to initiate discussion on the naval occurrences of the year, except in introducing the Navy Estimates. He had therefore contemplated introducing the Navy Estimates at an earlier period, and had made his arrangements accordingly, as that seemed to him the appropriate occasion for dealing with those occurrences, and, beyond all others, with the great naval disaster of the year. Having been anxious—most anxious—that the subject should come on at the earliest period of the Session, in order that the House might be put in possession of all the facts of the case as far as they could be explained by evidence taken before the court martial, he had given instructions that the Blue Book should be prepared months before Parliament met, so as to be placed as soon as possible in the hands of hon. Members. Notwithstanding the somewhat critical speech of the right hon. Gentleman—of which he did not complain—he could not but feel grateful to him for giving him an earlier opportunity of addressing the House on that question. For months he had been assailed with a virulence and a persistency which he thought he hardly ever remembered in his experience to have seen directed against any public man. But he had been sustained by the consciousness that he had acted in that matter as he believed to be right and just; and he had always had full confidence that, when the subject came to be discussed on the floor of that House—the proper place in which to vindicate his conduct—full justice would be done him. He had had some advantage in hearing the observations and the questions of the right hon. Gentleman before addressing the House himself. The right hon. Gentleman, however, had not contented himself with asking him questions, and putting all the different points which occurred to him before the House, but had, he thought, gone a little out of his way to tell him the tone in which he should address the House. The right hon. Gentleman alluded to a speech made by him (Mr. Hunt) on a festive occasion, and he asked him not to repeat the tone of that speech, and he had recalled to the mind of the House the expression — "Two or three blunders." Well, he (Mr. Hunt) was not going to defend the expression, and the reason was, that he had never used it. It was true that during the slack part of the year there was some exceedingly smart writing on the subject, and hon. Members of the House, when addressing their constituents, had alluded to it; but he was indebted for the expression to the slovenliness or malevolence of a reporter—for it was not one which fell from his lips, and much of what he did say had been perverted and distorted in a way which he could hardly have thought possible. But he would pass on from that, assuring the House that he would address them in a spirit of seriousness and earnestness with regard to what he considered a very great disaster. The right hon. Gentleman had gone into the questions of the re-establishment of an officer at the head of the Naval Reserve, the orders given for the cruise, and as to whether on the occasion alluded to the ships were properly officered and manned. He did not expect that he should have had to go into the question respecting the Admiral Superintendent of the Naval Reserve, but, being challenged on the point, he was bound to refer to it. The right hon. Gentleman had complimented his right hon. Friend the Member for Pontefract (Mr. Childers)—who, he regretted, was not present—on the view he took with respect to the Naval Reserve. He would not, in the absence of the right hon. Gentleman, criticize his policy, except so far as it was necessary to vindicate himself; but when he (Mr. Hunt) entered on the office he held, he gave very great attention to the question of the Naval Reserve, and it appeared to him that all had not been done which was necessary to induce men to join that body, and that there was no stimulus to the officers connected with the Reserve to perform their duties with zeal and industry. It seemed to him that the chief reason was that there was not a proper head to that body, and in consequence of that he established the office of Admiralty Superintendent, and placed Admiral Tarleton in that position. Why did he do so? When he went to the Admiralty he offered Admiral Tarleton a seat at the Board for a limited period. He was anxious to have the assistance of the gallant officer who was in command of the Channel Squadron, but that was not possible at the moment. He, therefore, offered a seat at the Board to Admiral Tarleton, it being understood that he was to give place to Admiral Hornby when his services were available. But during the time he was at the Admiralty he was impressed with the ability of Admiral Tarleton and the great amount of knowledge he possessed on the subject of the Naval Reserve. That gallant Admiral also accompanied him in a cruise round the coast of England to visit the chief drilling stations on the coast. They discussed the matter thoroughly, and he came to the conclusion that there was no man more fit to be placed at the head of the Reserve than was Admiral Tarleton. The right hon. Gentleman said that a man might be a good administrator and not a good officer afloat; but he ventured to say that the reputation acquired by Admiral Tarleton afloat was a distinguished reputation. The right hon. Gentleman had occupied a great deal of his speech with discussing the question whether the *Vanguard* was rightly sent to Queenstown from Kingstown, and whether she was properly manned and officered. He did not agree with the right hon. Gentleman in thinking that the Reserve Squadron was merely sent out to practise the Coastguard men. Under an arrangement made a few years ago the Reserve Squadron, instead of being left in port, had a regular complement of men and officers assigned to it, and it was as essential to them as it was to the Coastguard that they should be practised in naval evolutions and seamanship. The cruise of the Reserve Squadron, therefore, was as much required for that purpose as was that of the Channel Squadron. But the right hon. Gentleman had raised the question whether the complement of men and officers was sufficient for the purpose. Well, the complement was fixed by the right hon. Gentleman himself? It was fixed in 1871, he supposed, at the suggestion of his Naval Advisers, for at that early period of his occupation of the office he then held the right hon. Gentleman would hardly have ventured to fix it himself. But the right hon. Gentleman said the complement was fixed as a depôt complement. He begged to remind the right hon. Gentleman that the ships went out of harbour to fire their ammunition, and were in the habit of going from one home port to another; that the complement was fixed, and that no complaint was ever made of the ships being undermanned on such occasions. There was a great difference as to the number of men required for ships which were out for long, and ships which were out for short, cruises; for ships proceeding under sail and under steam. On the occasion of the voyage from Kingstown to Queenstown the ships were proceeding under steam, and, according to the opinion of his Naval Colleagues, the crews were amply sufficient for the navigation of the vessels. It was true that some men were disembarked; but, in the opinion of the captain, the number remaining was sufficient to work the ship; and it was at his request that the Admiral Superintendent consented to the men being disembarked, as they could be conveniently conveyed by Coastguard cruisers to their several stations. Again, the right hon. Gentleman criticized the number of days that the Squadron was at sea. He said it was sent out for the purpose of practising, and that the greater part of the time was spent in harbour. Well, he had referred to the orders which were given, when the right hon. Gentleman was at the Admiralty, with regard to the Reserve, and he found that hardly any orders were given at all. It was left almost entirely to the Admiral in command what the time of the Squadron at sea should be. He wanted to know why a Squadron on the cruise should have different orders from the Channel Squadron, for the right hon. Gentleman said it was all very well to send the Channel Squadron round the Coast, but why send the Reserve? But the right hon. Gentleman seemed to forget, or to be ignorant of the fact, that going into and out of harbour was one of the most important things which officers or men could practise. In the case of the Channel Squadron they had every two or three years been sent round the Coast, learning the different ports and harbours of the country, and giving great satisfaction to the taxpayers of the country—keeping up the pride and spirit of the country with regard to our maritime affairs, and satisfying the taxpayers that they had a certain amount of work done for their money. That, he believed, was the policy which had been pursued by all Governments of late years. He believed it to be a good policy, and it was one he desired to see carried out; and if the right hon. Gentleman wanted to know why orders were given to the Reserve Squadron to proceed to Cork the answer was this, that the people of Cork might have an opportunity of seeing the Squadron—uniting with that the practice which the Squadron would get during the voyage. Different ports in Ireland had been visited by the Reserve Squadron, but the people of Queenstown and Cork had not for several years seen a squadron of our ironclads, and on general grounds it was desirable that the natural and patriotic wishes of the people of Cork should be satisfied. It was for that reason that the Admiral was ordered to go with four of the ships of the Squadron to Queenstown. But really, though the right hon. Gentleman had laboured that part of the case very much, it was not, he believed, the question which the House wished to have discussed. The question was this—and it was a very important one—had the administration of the Admiralty in relation to the matter of the *Vanguard* been such as ought to satisfy the country? Had the action of the Admiralty been intelligent, had it been honest, had it been fearless, had it been impartial? He believed on those points that an examination of the question ought to satisfy the House that the administration and action of the Admiralty had not been wanting in any of those particulars. The right hon. Gentleman, though he had dealt with a great many topics in connection with this affair, and had asked a great many questions, had left almost untouched, or, at all events, dealt very lightly with a question which had been much agitated in the Recess—namely, Why did you not try Admiral Tarleton by court martial? That was a question with which he wished to deal. Now, there had been a great misconception in the public mind, if he might judge by writings in the newspapers, as to the authority of the Admiralty in relation to courts martial. Some people seemed to think that the authority of courts martial was greater than that of the Admiralty. But that was not the view of Parliament and of the Constitution; because Parliament had given statutory powers to the Admiralty to override the decision of courts martial, to annul, revise or modify their sentences—in short, to do everything but increase them; and, therefore, the Admiralty was an authority superior to all courts martial, and was bound to exercise an independent judgment upon all matters referred to them and to deal with them as they thought proper. Independently of that, the Admiralty had the power of dismissing officers from their ships and from the Service without a court martial. He could understand why the right hon. Gentleman had passed rather lightly over that part of his subject, because a question of this kind arose during his own Admiralty administration which he slightly hinted at—namely, the case of the *Agincourt* and the *Northumberland.* And what happened then? There was a court martial on some of the officers of the ship that got on shore, and the right hon. Gentleman dismissed two Admirals from their command without putting them on their trial by court martial. [Mr. GOSCHEN: I said so.] Yes, the right hon. Gentleman just alluded to it; but he (Mr. Hunt) wanted to bring it out more prominently. He did not complain of the right hon. Gentleman's action in that case, and, indeed, it met with universal applause. Well, if the right hon. Gentleman was applauded when he dismissed two Admirals from their command without court martial, was he (Mr. Hunt) to be complained of when he exonerated an Admiral without court martial, and dismissed a subordinate officer on sufficient grounds? ["Hear, hear!"] He repeated, "on sufficient grounds." The right hon. Gentleman said that he was upheld by

Parliament and the country in the line that he took; and what he (Mr. Hunt) had to show was that what he had done had been on sufficient grounds, and then the right hon. Gentleman could not complain that he had acted without authority and without precedent. He had said that the Admiralty had by law the authority to review and revise the sentence of a court martial, and what he said was that the gallant officers who did him the honour to sit at his Board were regarded by the profession as officers of the highest distinction and ability in the Service, and that on professional subjects they had the entire confidence of the Navy. On the subject, indeed, of squadron-sailing, at no period in the history of the Admiralty was the authority of the Naval Lords higher than at the present moment. He could not quite understand the view of the right hon. Gentleman as to his confidence in the Naval Council of the Admiralty. He said that the present First Naval Lord had occupied the same position at his own Board; that the Second Naval Lord he had appointed to a most important command of the Channel Squadron; and that the Third Naval Lord had gained great distinction in the Service. And then the right hon. Gentleman said that they were honest men. The right hon. Gentleman had not the slightest complaint to make of their honesty and impartiality; but he said that the country did not feel confidence in the advice they had given. But if they were honest, able, and competent men was not the country to have confidence in their advice?

MR. GOSCHEN: I expressed unreservedly my opinion of the great ability and sailor-like qualities of the Members of the right hon. Gentleman's Board.

MR. HUNT: But the right hon. Gentleman went on to say that the country deplored the advice that they had given. He presumed that the right hon. Gentleman did not deplore it, because if he thought them capable and honest he ought to repose confidence in their advice. With regard to the court martial on the loss of the *Vanguard* it had, under the Naval Discipline Act, two functions to discharge. It was a judicial tribunal as regarded the officers of the *Vanguard;* and a Court of Inquiry as to the loss of the ship. Its finding as a judicial tribunal was confirmed by the Admiralty; but as regarded that part of the finding which referred to the loss of the ship, neither the Admiralty nor himself was able to concur in it. He had no wish to criticize in any captious spirit the finding of the court martial; but when he read those six causes which were alleged to have brought about the loss of the *Vanguard*, he was convinced from the first—although he did not know the facts—that it was the finding of a divided body, and that these six causes could never have been agreed upon by the whole of the Members of the Court. Any one who studied that finding must arrive at the same conclusion. What was his duty on receiving the finding of the court martial with the evidence that was put before it? It was to read most carefully—not only the evidence which came from the mouths of the witnesses, but the log-books of the ship. It was his duty to examine the charts and the sailing instructions, and to understand what was the set of the tides on the coast at the time, and, with the assistance of his Naval Colleagues, to come to a decision. The conclusion at which he arrived, with the unanimous assent of his Colleagues, was that Admiral Tarleton and Captain Hickley were blameless for the disaster; that the two causes of the loss of the *Vanguard*, so far as regarded culpability, was mentioned by the court martial as the 3rd and 5th causes; and it was on the officers responsible for the action complained of that the displeasure of the Admiralty fell. The right hon. Gentleman had called attention to the first cause, which he said was the high rate of speed at which the Squadron was proceeding, as he said, in a fog. He (Mr. Hunt), however, and his Colleagues were unable to come to the conclusion that there was any ground for that assertion, and it was obvious that the high rate of speed did not cause the disaster uncoupled with other circumstances, and that it did not contribute to the disaster so far as culpability was concerned. It could be shown mathematically that the high rate of speed was not the cause of the disaster. The Squadron, after the operation of formation, was going in two parallel lines, so that one division of the fleet could not collide with the other division. Then came the question of the ships that were following one another. Supposing that two ships were proceeding, one exactly ahead and the other following in the same line and keeping the same speed, it was quite clear that they also would not collide. And what happened? The starboard division, consisting of the flagship and the *Hector*, was proceeding at the speed ordered until a quarter past 1 on the day of the disaster—holding communication with one another and stopping together—and they proceeded at the speed ordered without accident; while the port division met with the disaster owing to their proceeding at an unequal speed. The Admiralty Minute pointed out that the signal made by the Admiral was not the best that he could have made. He had seen that signal described by some writers in the Press as a "bungling signal." There was, however, no question of a bungling signal in the matter. There were two signals in the Signal Book applicable to the circumstances—one No. 004 and the other No. 017—and it was optional with the Admiral whether he would give one or the other. Taking the Squadron as forming four ships in line, the signal that was given obliged the two hinder ships to go to the left and then to the right, and thus to get into proper formation; whereas the signal recommended by the Admiralty would have ordered the two leading ships to go to the right and then to the left. The result was, as the Admiralty Minute pointed out, that the evolution would have been performed in the least time and at the least rate of speed if the signal they recommended had been given. If that signal had been given, the ships would have proceeded at the rate of seven knots; whereas by the signal actually given, the speed of the two hinder ships had to be increased to eight knots to enable them to come to their station. The right hon. Gentleman said that the signal recommended by the Admiralty would have thrown the ships four cables nearer the shoal than that used. That was quite true; but if it had been used by the Admiral, he would have given the Kish light a wider berth before making the signal. The signal employed had been in use for many years, and until lately had been the only signal in use under similar circumstances. In the Detached Squadron it was the only signal used, and it was not until recently that it had reached the Signal Book. Therefore, the charge that the Admiral had used a bungling signal could not be sustained. He now came to the question what course the Admiral ought to have adopted as to the speed of the Squadron when the fog came on. No one would pretend to say that seven or eight knots an hour was an improper speed for the Squadron to make in fine weather. The Admiral and his Squadron having left Kingstown he had the choice of two passages, the inner and the outer. The inner passage was not recommended to any navigator not perfectly acquainted with the passage, and it would have been imprudent to adopt it with large ironclads. Therefore the proper course to go by was the outer passage, which the Admiral took, and having rounded the Kish light, he then shaped his course as described in the evidence given before the court martial, and he made a signal that he was proceeding at seven knots. The port division of the Squadron, the *Vanguard* ahead and the *Iron Duke* following it, performed the evolution which had been ordered by the signal; they had before the fog came on got into their proper course, though they had not got into their station; they were astern of their station, but they had got into their proper course. The fog came on very suddenly; it had been clear just before. The fog did not come up ahead of them; the banks were seen on the Welsh coast on their left, and ahead it was clear, or moderately clear. He was told that in the weather in the state in which it was described in the log-book ships would be visible at a distance of 10 or 12 miles, and it was known as a matter of evidence that the only ship in sight from the look-out at the masthead of the *Vanguard* was seven or eight miles distant, and the look-out man saw her hull and was able to describe her rig and the course she was steering. The Admiral therefore knew there was nothing ahead of him, and when the fog fell what did he do? What said the Admiralty Orders? They said the speed was not to exceed three or four knots, except under special circumstances; and there was a special circumstance which the Admiral was bound to regard. He maintained, therefore, that the Admiral was justified in increasing his speed. Alluding to the chart which had been produced, the right hon. Gentleman said the court martial did not have it in evidence, but the court martial had the log of the flagship before it, and if the officers had been asked, they could have marked out the course from it. To make the matter more intelligible—even to himself, for he did not profess to be a skilled reader of logs—he had requested the hydrographer to prepare the chart, and it showed the course steered by the *Warrior* according to the log. This was shown by a dotted line, and was considerably outside the Codling lightship. The difference between the dotted line and the full line showed the influence of the tide upon the ships in making their course at seven knots speed. There was a line of shoals extending for about 13½ miles between the Kish lightship and the Codling lightship, and the Admiral in his evidence gave as his reason for maintaining speed that he should have been brought in dangerous proximity to the shoals had he slackened his speed. It must be obvious that the action of the tide on a ship going at four knots must be much greater than on a ship going at seven knots, and it would not have been prudent in the Admiral to reduce his speed to anything much less than he had ordered by reason of the tide carrying him towards the shoals, which were in dangerous proximity. In order to illustrate that, he directed the hydrographer to show upon the chart where the starboard division of the Squadron would have been brought supposing the speed had been reduced to four knots; and he found that at 2 o'clock the division would have been in dangerous shoal water, and at 3 o'clock it would have been 1¾ miles inside the Codling light ship, outside of which he was bound to keep. It was on this ground that the Admiralty upheld the Admiral in not reducing his speed; and yet because they upheld him in maintaining his speed for what he thought the House would consider a sufficient reason—namely, to avoid the shoals—very hard words had been used about the Admiralty, and about himself in particular—it being said that he was wholly incompetent for the office he filled. The course recommended by his irresponsible advisers in the Press would have brought the Admiral upon the shoals. Was there any real risk in proceeding at the speed of seven knots? The evidence showed that just before a ship could be seen with great particularity seven or eight miles off; and his Naval Advisers informed him that in that state of the atmosphere 12 miles was a moderate distance for ships to be seen from the mast-head. Their opinion was that the risk of meeting anything was almost *nil*. The only sailing vessel they could have met had been seen at the distance stated away on their port bow and going away from them; and on the course they were pursuing no steamer could have met the Squadron before the speed was reduced by order of the Admiral, except for the space of something over a quarter of a mile. Therefore the risk of proceeding at the speed they did was almost *nil*, and the risk of reducing speed was very great indeed. The right hon. Gentleman had asked why the Admiral could not have altered his course and also reduced his speed, and that point was not omitted when the matter was under the consideration of the Admiralty. It could only have been done by two sets of signals by gun-fire, with intervals between, which would have sent the ships in the most awkward way across the usual channel for ships approaching Dublin — a double set of signals which no prudent Admiral in command of a Squadron would have thought of giving under the circumstances. He hoped he had said enough to justify the Admiral in maintaining speed, and to show that the Admiralty was not wholly incompetent because it had supported him. With regard to Captain Hickley, he remained on deck until his ship had made the two turns which had been already described, by which his ship was brought into her course, and when he left the deck his ship was in a direct line with her leader. According to the evidence he saw the three masts of the *Vanguard* in one line, and then came the question, to his (Mr. Hunt's) mind a very important one, whether having brought his ship into that position, he was justified in leaving the deck? The question he put to his Naval Colleagues was this—"Was Captain Hickley transgressing his duty in leaving the deck of the *Iron Duke* at the time he did?" and the answers of his Colleagues were unanimous. One replied—"When the *Vanguard* had made her second turn in the evolution order, there was no necessity for Captain Hickley continuing on deck. The officer of the watch had to perform the usual duty of keeping station by his next ahead." The second replied—"The captain was not bound to keep on deck." The third replied—"Captain Hickley was not to blame for leaving the deck. His ship had made the last turn required in evolution, and the officer of the watch had simply to do the ordinary duty of keeping station astern of his next ahead." Captain Hickley had been on deck for two hours and he left it for about 10 minutes, leaving his ship in her right course, and also leaving her—which was important—three cables astern of his leader, it being his duty when he came into station to be two cables astern, and a cable being 200 yards. On leaving the deck, he said he gave directions to the officer of the watch, Lieutenant Evans, not to get astern of his station, and he had only left the deck about 10 minutes when the officer on watch, notwithstanding the directions of his captain, gave the ship what he called a good sheer-out—that was, he left following the wake of his leader, and went out to the left or port, and that was in violation of the Instructions given by the Admiralty. The Instructions were—"During a fog the fleet is to maintain the same order and steer the same course as before the fog came on." Article 9 was to this effect—"Close order is as much as possible to be maintained in the fog." The right hon. Gentleman the Member for the City of London had not fallen into the error, but a great deal of the commentary on the action of the Admiralty amounted to this—it was said they punished the man who did the right thing—to sheer out of the line and get rid of all collision. But that was not in the mind of those who framed the Instructions; in the wake of their leader they had to keep in line, and, therefore, to sheer out of the wake of the leader was wrong. The fault of the officer of the watch, therefore, was this—he neglected the order of his captain, and violated these positive Instructions during the fog. What did Captain Hickley do? When he returned to deck he said—"You have sheered out of the course; we must put her back again." The officer of the watch had increased the speed, and he made no alteration in the speed of the ship at the time. But they had it in evidence that the *Iron Duke* could not make more than 8½ knots. The *Vanguard* had immediately before the fog signalled that she was going 8 knots. No signal had reached the *Iron Duke* that that speed had been reduced, and therefore Captain Hickley was justified in supposing that she maintained that speed until another signal reached him. The *Iron Duke* was three cables astern of the *Vanguard*, one more than she ought to have been, and in regaining her position, the sheer-out by the officer of the watch of the *Iron Duke* would have put her more astern, because, instead of going in a straight line, sheering-out and sheering-in must have increased the distance; and the captain of the *Iron Duke* gave the order to sheer in again, it being his duty to regain the position which the officer of the watch had lost as soon as possible. What said the Instructions? The speed of the fleet during the performance of evolutions should be notified beforehand, and should not exceed that easily attainable by the slowest ship present, so that each ship, when manœuvring, should be able to hold on, and not resort to increasing speed, so as to regain her station without delay. It was therefore the duty of the *Iron Duke* to regain her position without delay. This matter had also been very carefully considered and worked out by diagram, and at the speed the *Iron Duke* was going, if the speed of the *Vanguard* had been maintained, at the moment the collision actually occurred she would have been more than two cables astern of her leader, and therefore in a perfectly safe position. If she had kept her course without having been sheered out, if she had gone in the straightest line, going at 8½ knots, the *Iron Duke* would have been two-and-a-quarter cables behind the *Vanguard*. On that ground the Admiralty upheld Captain Hickley with regard to the speed of his ship at the time of the collision. Now, as regarded Captain Dawkins, of the *Vanguard*—what was his fault? His fault was that he suddenly reduced the speed of his ship from 42 revolutions to 25, and then to 18, in the course of two minutes without any answering signal from the ship behind him. That was a very grave error, and that was the error which mainly caused the disaster they were now discussing. He ought not to have reduced his speed without a signal from the Admiral. But he might have reduced his speed without a signal from the Admiral and yet done no harm. He might have fallen out of his station, but he need not have caused the destruction of his ship. It was a rule in the Service—and it was alluded to, for a question was put to a witness on the point before the Court-martial—that no signal was valid till it was answered. If he made a signal it must be answered before it was valid; but he reduced the speed of his ship twice without waiting for the return of the signal, and consequently without notice to the ship that was following her. No doubt what contributed to the disaster—and for which they must not very heavily blame Captain Dawkins—was an alarm of a ship ahead; but the fact was the order to reduce speed was given before the alarm was raised. Captain Dawkins himself said the order to stop had no effect, because he immediately saw his ship would clear the vessel, and the order was given to go on. Indeed, the vessel seemed to be the veritable "phantom ship;" he could not make out whether Captain Dawkins had any certainty in his own mind that there was any ship ahead, and certainly the man who gave the alarm had defective vision. There were several look-out men aloft and on deck, and none of them ever saw the ship at all. From the evidence there could be no such ship, because a few minutes before only one was seen, and that was steering a course away from the Squadron. The evidence of the look-out man at the mast-head of the *Vanguard* was that he could only see the fleet. If Captain Dawkins had his wits about him he would have said—"There can be no such ship ahead;" but he sheered out of his course. He did not attach much blame to Captain Dawkins on that head, because the collision would not have happened but for the improper reduction of the speed by Captain Dawkins' order, or, if at all, it would have been a very slight one, had it not been for the sheering out of line. The action of the officer of the watch of the *Iron Duke* contributed in no slight degree to the disaster. He believed he had now sufficiently explained the view he took of the real cause of the disaster. But there was another question—he did not think the right hon. Gentleman alluded to it—that was, the disapprobation expressed in the Admiralty Minute of the view put before the Court by the Admiral in command with regard to the reduction of the speed. He upheld him in continuing his speed, but when examined before the Court the Admiral was asked whether Captain Dawkins was justified in reducing his speed without his orders. He said that, as a matter of opinion, he might be. That was a curious answer. The evidence showed that no orders were given to that effect, because when the question was specially asked whether any such orders had been given he said "No." He had not asked the Admiral for any explanation of this, but he supposed that he was betrayed into that expression of opinion from an amiable desire to extenuate the error that had been committed. If he had said "Certainly not," Captain Dawkins must have been convicted, of course, at once. But he went further than that. Supposing that the Admiral had given positive orders to Captain Dawkins that he was at liberty to reduce speed without a signal from him, that would not have justified him in reducing his speed as he did—he reducéd his speed without exchanging signals with those behind him. Then it was said—if not by the right hon. Gentleman, by the Press—why did we not bring the Admiral to a Court-martial? Now, that sounded very plausible, and it was the obvious course for a man in his position to take who wished to evade responsibility. To have had him tried by Court-martial, when he did not consider him to blame, would have rendered it necessary for him (Mr. Hunt) to have preferred a specific charge against him which he did not believe, and for which he thought there was no foundation; but then he should have escaped all obloquy from the public and the Press. He thought that would have been a weak, cowardly, and contemptible course. He satisfied himself after a most laborious examination of the evidence, assisted by his Naval Colleagues, and fortified by their deliberate opinion, that Admiral Tarleton was entirely blameless as regarded the disaster, and to bring Admiral Tarleton to a Court-martial on a charge he did not believe in, would have shown him to be entirely unworthy of the position he ought to hold. Mistakes he might make, and who did not? He claimed no infallibility of judgment; but no one could say that, being placed in a high position, he had shirked responsibility, and endeavoured to throw on others what he ought to take himself. Having made up his mind that the Admiral was not to blame, he felt bound to assert his opinion, and carry it out, and he was not to be deterred from doing so by any fear of newspaper vituperation or Parliamentary attack. Of course, he had known what was in store for him, for days before the official evidence of the Court-martial reached him, he had been told by writers in the Press exactly what he ought to do. But it was his duty to look for assistance in professional matters to his responsible Advisers, and having consulted them, he had stated in the Minute—which was his own—what he conscientiously believed to be right. It had been said that he would punish a lieutenant but not an Admiral. Well, in answer to that, he might remind the House that he had already shown that his Predecessor had punished two Admirals without a Court-martial, and beyond that, the first year he was in office an accident happened to a detached Squadron—two of the vessels got on the Solent rocks — and not being satisfied that the orders of the Admiral had not contributed to the disaster, he had him tried by Court-martial. On the present occasion he was satisfied that the Admiral was not to blame, and therefore no Court-martial was held. It was quite clear that the lieutenant of the watch had committed a grave error, but it was said he had been punished too severely. Those who held that language were evidently not aware of the difference of such a sentence in the case of lieutenants as compared with officers of higher rank. It was no doubt a sharp punishment for a lieutenant at the time, but it did not militate long against him, and he hoped the lieutenant in question would yet do good service to his Queen and country. However, having neglected the injunctions of his captain and violated the orders given to the Navy with regard to proceeding in a fog, it was absolutely necessary that he should be visited with some degree of punishment. He believed he had dealt with all the points it was necessary to bring under the notice of the House. He hoped the House would be satisfied that the matter had not been treated lightly or without due inquiry and proper investigation with regard to all the circumstances connected with it. They had been told that the Admiralty ought not to deal with the cases of officers without subjecting them to a Court-martial. He admitted there were cases where it might be well to do so, and it sometimes happened that such inquiries did not elicit the whole of the circumstances. And sometimes there was a conflict of evidence on material points which would induce the Admiralty not to deal with the matter on their own responsibility. It was not so here, however; the inquiry was complete and full. There was no conflict of testimony upon any material point, and the facts were all clear before them. The only question was the right inference to be drawn from the facts, and the Admiralty was the proper authority to draw them, and state them in an authoritative manner. He had been asked what he was going to do with the Squadron in future, and his reply was that he hoped to give them more practice than they had had lately. He agreed with the right hon. Gentleman opposite (Mr. Goschen) that it was desirable to do so, but it was not his fault that he could not send the Reserve Squadron for practice in 1874, because in that year he had not a Reserve ship fit to go to sea. Practice was the soul of efficiency, but in 1874 no squadron evolutions could be performed with Reserve ships, and he had to send them out singly for the best practice that could be had. Last year, however, they were in a position to send out seven ships. It was his wish to give both officers and men more practice than they had had lately, and for the first time, and with the advice of his Naval Colleagues, he intended to utilize the training brigs in winter to practise young lieutenants and young men. Hitherto they had only been used in summer for training boys, but the last season they had to perform double duty. There were five brigs, and he hoped that arrangements might be made to give more practice to the crews of the Reserve ships, and he felt certain that the more that was given to them both officers and men would become more efficient in duty, and that such disasters as these would not be repeated.

Mr. HANBURY-TRACY said, that the officers of the Navy with whom he had conversed were at a loss to understand how it was that the Lords of the Admiralty, whom he (Mr. Hanbury-Tracy) believed to be able and competent men, could have issued the Minute referred to, except that they had been led into a very grave error. He wished to know who it was at the Admiralty that issued it, and why they punished the lieutenant and allowed the Admiral to go free, and why Captain Hickley had been let off and Captain Dawkins punished? There was an unanimous feeling in the Navy that a Court-martial ought to have been held on Admiral Tarleton and Captain Hickley, and the other officers of the *Iron Duke*, whereby they would have known more of the circumstances connected with the collision than was known at present. It was even a matter of astonishment that Admiral Tarleton and Captain Hickley had not themselves demanded a Court of Inquiry. For himself, he was quite sure that the holding of a Court-martial on those officers would have been to the been to the advantage of the Service. Analyzing the evidence given in the Court-martial upon the officers of the *Vanguard*, he drew the conclusion from it that upon entering the fog at a high rate of speed it was the duty of the Admiral to have made signals for slackening speed. Instead of doing so, however, he went ahead at the same speed which prevailed before the fog, and that was the result. The *Vanguard* and *Iron Duke* had to race into position and go ahead as fast as possible, at the same time the Admiral pursuing his course utterly regardless of the position of the two ships. Yet they were told by the right hon. Gentleman that speed had nothing to do with the disaster—that speed had not contributed to it; he contended, on the other hand, that the Admiral had not kept the fleet well in hand. The failure of the Admiral to do that was, in his (Mr. Hanbury Tracy's) opinion, and in that of many naval officers, the main cause of the disaster. It would have been desirable, with regard to the loss of the *Vanguard*, to know what the officers of the *Hector* saw, and until we did so we were not in a position to arrive at a satisfactory conclusion on the subject. He was well aware that the reputation of Admiral Tarleton stood very high; but then junior offices were punished, and, putting aside all matters of detail, there could be no doubt that, whether the Board of Admiralty were right or wrong in their decision, a Court-martial on the Admiral would have brought out many facts, while its appointment would have been far more satisfactory to the public as well as to the Navy. If there had been a Court-martial, he could not help thinking that the blame would have attached not to the Navy, but to the Admiralty. The First Lord had spoken of the Admiralty as being superior to any Court-martial, but up to 1860 Courts-martial were superior to every other tribunal—that was to say, there was no appeal from their decisions, which they could arrive at without any fear of an Admiralty Minute. Unfortunately, the Act of 1860 was passed, giving to the Admiralty an Appellate Jurisdiction. And why? It was acknowledged in the House of Lords that this Appellate Jurisdiction was asked for the Admiralty because it was necessary to have junior officers sitting at our Courts-martial. He apprehended, however, that it never was intended that the Admiralty should upset the decisions solemnly and deliberately arrived at of a Court composed of the senior officers of the Fleet. The First Lord had said that this was both a Court-martial and a Court of Inquiry. It was a Court presided over by an Admiral and Commander of the Channel Fleet. We had nine senior officers to inquire into the loss of the *Vanguard*, and no one could say that their decision was not arrived at with the greatest deliberation and without fear or favour. Was it right, therefore, that the Admiralty should go and issue a Minute upsetting that decision? The effect of such a course on the part of the Admiralty was to declare to the world that it did not agree with the professional opinions of our senior officers.

SIR JOHN HAY: Sir, as one of the very few naval officers who have seats in the present Parliament, I trust the House will allow me to say what I believe to be the general opinion of the Navy in regard to the deplorable accident now under discussion. The right hon. Gentleman the Member for the City of London (Mr. Goschen) has stated the case so fully and so fairly that I shall not weary the House by recapitulating the circumstances which led to and followed this great naval disaster. But, first of all, I must take exception to the new system, adopted of recent years by the Admiralty, of supplementing or reversing the sentences of Courts-martial, and I must express my surprise and regret that my right hon. Friend the First Lord of the Admiralty has deemed it to be his duty to sanction the issue of this Minute, and now to justify it to the House. The first instance of attempting to reflect upon the judgment of a Court-martial by Minute was in the case of the loss of the *Captain*, against which I have, in common with many hon. Friends of mine on this side of the House, constantly protested; but I shall not further allude to that case except to express my sorrow for the absence of the right hon. Gentleman the Member for Pontefract (Mr. Childers) from our debates, and my sincere sympathy for him in the sad circumstances which explain his absence. But it is the less necessary for me to allude to that Minute because the right hon. Gentleman the Member for the City of London also afforded an example of over-ruling the sentence of a Court-martial by a Minute in the memorable case of the *Agincourt* disaster. The *Agincourt* struck on the Pearl Rock; a Court-martial was assembled to try the captain and officers and crew of the *Agincourt* for the stranding of their ship. The Court-martial sentenced them as in their judgment it thought fit, and the sentence was discredited by the Admiralty of the day, over which the right hon. Gentleman presided, in obedience to ignorant public clamour. In this case the Admiralty acted by Minute because it thought that the sentence was not severe enough. Not only I myself, but, if I am not mistaken, my lamented Friend the late Mr. Corry challenged the course taken by the Admiralty with regard to the *Agincourt* disaster. I have always held, and I now hold, the opinion that Admiral Wellesley and Admiral Wilmot, two very distinguished officers, were very illused by being dismissed from their commands, and discredited without having the opportunity afforded them of defending themselves before a Court-martial. I do not say whether they were right or wrong. I express no opinion. They might have been found guilty if they had been tried, but they ought to have had that to which every Englishman has a right—a trial by his Peers. Now, this is the bad precedent which my right hon. Friend has thought it his duty to follow in this case; and I am the more surprised at it, because he has already shown the House that he knew what it was just and right to do under similar circumstances. In Admiral Randolph's case, to which reference has been made, my right hon. Friend took the right course. Admiral Randolph was much blamed by the Press, because two of the ships of his squadron went ashore on the coast of Sicily. The officers were tried by Court-martial, and so afterwards was Admiral Randolph, and upon his trial it was satisfactorily proved that he was not guilty, and that gallant officer must thank his stars that he was tried by Court-martial. In the present case it seems to me the unkindest thing ever done to Admiral Sir Walter Tarleton was not to submit his conduct to the judgment of a Court-martial. As it is now, he could hardly have been in a worse position if he had been tried and found guilty; his reputation is in danger of being shipwrecked, because he has had no opportunity of defending himself in a public manner before an open Court. I have the greatest respect and esteem for Sir Walter Tarleton. He has served the country with distinction and great ability for 40 years, and now he has not a fair opportunity given him to explain publicly his share in this deplorable disaster, and to show at least in what degree he is responsible for it. I say the same as regards Captain Hickley. I have not the honour of knowing that gallant officer, but I have always heard him spoken of as an excellent officer. Why has he had no opportunity of explaining the facts of the case, and his share in the transaction? My right hon. Friend asserts that he could frame no charge on which to try these officers; but it seems to me a charge could have easily been framed on which to try them, as it was against Admiral Randolph. By the course adopted by the Admiralty, my right hon. Friend has done much to discredit the authority of Courts-martial. These tribunals are the only means left to maintain the discipline of the Navy. It is very dangerous to tamper with their decisions; their judgments should be upheld; and I believe, in my heart, that the Admiralty is weakening the discipline of the Navy every time they publish wretched Minutes like these I have alluded to, disparaging the decisions of Courts-martial. In this case the Court was one whose authority was well deserving of respect. It was presided over by a noble and gallant Friend of mine, well known to many hon. Members—Lord John Hay. There were two Admirals on the Court, the President being at the time second in command of a squadron of iron-clads, and Admiral Chamberlain, an officer who had commanded an iron-clad. The seven captains all had commanded, or were commanding, iron-clads. These nine officers were all experienced in the subject they had to consider, and it must be remembered that in coming to the decision at which they arrived, they were establishing a precedent against themselves. A similar accident to that which befell Captain Dawkins might befall any one of them, and their decision upon Captain Dawkins might at any moment come to be applied to themselves. I ask—could there have been a fairer or more competent tribunal? Now, my right hon. Friend—not, of course, of his own authority—chooses to set at nought and to differ from the judgment of this Court. His naval Colleagues are personal Friends of mine. The name of Sir Alexander Milne carries the greatest weight with the naval profession; both he and Admiral Hornby have commanded fleets and squadrons, and Lord Gilford is an officer of very high reputation, who has also commanded an ironclad in a fleet. Their names as members of any Court-martial would add weight to its decisions, or as witnesses before a Court their evidence would be entitled to the highest respect. I would not for a moment ask the House to accept my judgment in preference to theirs; but is it to be said that these three gentlemen, however distinguished, forming their judgment by reading the evidence and without hearing and seeing the witnesses, and without the weight of responsibility which devolved upon the sworn Members of a Court-martial could possibly come to a decision which would command equal confidence with that arrived at by the nine officers composing the Court. In my opinion the sentence was a stern and severe one. I confess, when I read it at first in the newspapers, I thought it a hard sentence, and regretted that the Court had not said something complimentary as to the discipline and good behaviour of the men of the *Vanguard* — had not entirely removed the stigma unjustly cast upon Captain Collins, a marine officer who had already elsewhere distinguished himself for conspicuous gallantry in action—had not said something complimentary of Lieutenant Hathorn, the officer of the watch of the *Vanguard*, the only officer of those tried who was entirely acquitted of all blame, and who the right hon. Gentlemen the Member for the City of London informs us was 600 down the list of lieutenants. But for all that the Court deserved to be upheld and its decision respected. My right hon. Friend the first Lord has said that the sentence was one which showed divided councils. Why should he say so? There is no evidence of divided councils, nor is this a matter into which either he or this House have any right to inquire. The sentence of a Court-martial is the sentence of the whole Court. The decision is the decision of the majority, but the members are sworn to secrecy, and no knowledge of the votes of individual members can be obtained without breaking a solemn oath. In Admiral Byng's case this House was appealed to, to pass an Act to enable Members of the Court who were also Members of this House to divulge the individual opinions of the Members of the Court. It was refused, and since that no such attempt has been made, until my right hon. Friend has thought fit to allude to divided councils. I may mention that a naval Court-martial differs from a military Court-martial in this—that when it is once formed it owns no higher authority. A military Court-martial cannot promulgate its sentence or dissolve itself, until the sentence has been approved by the highest authority. Its sentence may be sent back for revision, or entirely set aside; but a naval Court-martial cannot have its sentence revised, for so soon as it has decided upon the evidence it proceeds to pass its sentence upon the prisoner by dismissing him from the service or sentencing him to punishment under the Naval Discipline Act. It then dissolves itself, and exists no longer, and the Admiralty cannot express its disapproval of the sentence to the President or any other Member of the Court, because the person so accused may have voted in the manner the Admiralty may have desired, but is unable to say so for fear of violating his oath. It is true that sentence of death is not carried out without the approval of a higher authority, and that after sentence of dismissal the Admiralty have power to restore the officer to the profession, but the Admiralty cannot annul the sentence.

MR. HUNT: By the Naval Discipline Act the Admiralty have a power to modify and revise the sentence.

SIR JOHN HAY: Yes, after it is passed; but the sentence cannot be annulled or sent back to the Court-martial for revision. All the Admiralty can do is to prevent the sentence being carried into effect. Now my right hon. Friend says the Court-martial was a Court-martial to try Captain Dawkins and his officers, and a Court of Inquiry to inquire into other circumstances attending the loss of the *Vanguard.* I entirely deny that a Court-martial is a Court of Inquiry. A Court-martial tries prisoners for stated offences submitted to it and the prisoners have the opportunity of defending themselves; but it has no power to inquire into the conduct or character of persons not before it. The Court-martial says that Captain Dawkins and others are culpable, and sentences them accordingly, and acquits others of blame. It further says that the evidence before it seems to make it possible that other causes are to blame. It is the business of the Admiralty to give the persons so reflected upon an opportunity of defending or explaining their conduct and this can only be afforded them before another Court-martial. I blame the Admiralty for issuing the Minute at all; but having issued the Minute, I blame them for this—namely, for justifying a fleet of iron-clads in the narrow seas, in steaming seven knots an hour in a fog. Instead of being a protection to our commerce they are a danger to it, and are not sufficiently under command to avoid collisions with peaceful traders. This speed is entirely at variance with the Admiralty Order in the Signal Book which enjoins an Admiral to reduce the speed of his fleet to three or four knots an hour. Will the House forgive me if I endeavour to explain the reason for giving this Order? I will endeavour to divest my explanation as much as possible of technical language, if the House will bear with me. A screw ship has a peculiar advantage over ships propelled by paddles or sails. If, even when the ship is at rest, the screw propeller is put in motion, and the rudder is turned to one side or the other, the water is thrown off the propeller against the side of the rudder, and the direction of the ship's head is at once altered by the stern of the ship being turned, and this before the action of the screw has caused the ship herself to be moved ahead through the water. I may say that on one occasion I commanded a screw line-of-battle ship, and brought her from Cape St. Vincent to St. Katherine's in a thick fog, and without seeing anything but one yacht under my dolphin striker. That yacht was so well handled that she may have belonged to my hon. Friend the Member for West Norfolk (Mr. Bentinck) and when his flare-up was burnt I ordered the screw to be turned rapidly for a few revolutions, which enabled my ship's head to turn so quickly as to slip past the yacht without touching her. But our speed was not more than three knots, for if it had been seven, my hon. Friend the Member for West Norfolk might not have been here to give us the information which I am sure we shall hear from him in the course of this debate. The First Lord of the Admiralty says there were special circumstances, but what were the special circumstances? An hon. Friend of mine, a gallant Admiral, for whose opinion on all subjects I entertain a very high respect, Sir Cooper Key, addressed a letter to the newspapers, in which he justified Sir Walter Tarleton's speed by asserting that it was necessary to overcome the tide. I thought when I read that letter, and before I had seen the chart, that Sir Walter Tarleton had taken his squadron down the inner channel between the Kish Bank and Bray Head, in which case he would in my opinion, have certainly been justified in getting out of the dangerous channel as soon as possible, unless he had thought fit to bring them to an anchor. But I confess I do not see the necessity for maintaining a high speed to the eastward of the Kish Bank. In my opinion, unless there was some special circumstance with which I am unacquainted, it would have been best to have made a signal to reduce speed to that enjoined by the Admiralty, and to have altered course more to the east. There was nothing between the fleet and the Welsh coast, and a slight change of course would have overcome the indraught of the tide. Then I am not satisfied as to the reasons why signals were not made. My right hon. Friend says that the slackening of speed and the alteration of course would have involved two signals. Well, why not? One of the special objects of a squadron of evolution is to practise signals. The squadron had nearly completed its cruise, and no doubt had been properly drilled in this necessary duty. In efficient ships guns on the same side and of the same calibre are kept loaded, with a man ready to fire each in succession, and some spare guns ready to fire for fear any gun should miss fire, and an error be caused in the significance of the signal by a longer period elapsing between the discharges of the guns than is specified in the particular signal. In the evidence I regret to see that a gun of an improper calibre was fired at the wrong time, but this, no doubt, was not an error which can justly be attributed to the Admiral. Then there is the evidence as to the *Vanguard* and *Iron Duke* being seen at a distance of eight miles at two o'clock, just when one of them was sinking, instead of at four cables' distance, as ordered by the last signal. It surely would be to Admiral Tarleton's advantage to be able to explain to a Court-martial the special circumstances which prevented him ascertaining by signal the cause of these ships, half his fleet, being out of station—whether, in fact, it was ever reported to him. Again, I should like to know why Captain Hickley was right in being off deck before his ship had regained his station, and why Captain Dawkins was wrong? If there was an excuse for Captain Hickley, there might surely have been an excuse for Captain Dawkins. The *Vanguard* would certainly not have been sunk if the *Iron Duke* had not run into her, and the *Iron Duke* would not have run into her if she had not altered her course at a high rate of speed. I must say that sufficient importance is not attached, in my opinion, to Captain Dawkins' evidence as to the ship which was under his bows. I hold the Blue Book in my hand in which, no doubt, every hon. Member has read Captain Dawkins' letter, in which he states that he himself saw the vessel under his bows. He could hardly have been mistaken, and if he had not altered his course and perhaps slowed his engines, another catastrophe might have occurred with, perhaps, considerable loss of life. I have no personal knowledge of Captain Hickley, and I have a great respect for Sir Walter Tarleton; but, if I had been in the place of either of these distinguished officers, I would never have been satisfied until a Court-martial had been assembled before which I could have made my explanation and defence. In my opinion, it is not even now too late, and I see no difficulty whatever in framing the charges. I am sorry to differ from my right hon. Friend, but the right hon. Gentleman the Member for the City of London is equally culpable with himself for setting the bad example of the course pursued. I thank the House for having heard me, and I trust the officers concerned will forgive me if I have said anything which may appear harsh with respect to their conduct.

ADMIRAL EGERTON, referring to the "phantom ship" alluded to by the First Lord of the Admiralty, said, he would remind the right hon. Gentleman of the suddenness with which vessels came into sight out of a fog-bank, and, indeed, he was far from being satisfied that the ship in question had not crossed the *Vanguard's* bows just before the accident occurred, a fact which a second court martial might have elicited. He could not help thinking that it would have been a great advantage to Admiral Tarleton, if he had had an opportunity of explaining the extraordinary opinions he expressed with respect to the conduct of officers under his command. He did not, however, think that the speed at which the vessels were going was one of the main causes of the accident, and he believed that the collision was to be attributed to the conduct of the young officer of the watch, who had acted most unjustifiably in sheering the *Iron Duke* out of her course. The Admiralty had been more lenient in the punishment of that young officer than a court martial would have been, and he rejoiced to think that the time might come when that young officer would have an opportunity of redeeming his error and of becoming an ornament to the Service. He was satisfied that, even at this late hour, the appointment of a court martial to try Admiral Tarleton and Captain Hickley would meet with the approbation of the whole Service, and even if the verdict of the Court were against them, those gentlemen would stand in a far higher position than they did at the present moment in the view of all naval officers. Under these circumstances, he hoped that the First Lord of the Admiralty would re-consider his decision.

CAPTAIN PIM, in moving, as an Amendment to the Motion of the right hon. Member (Mr. Goschen)—

> "That, in the opinion of this House, the opportunity should be afforded to the Admiral in Command, Vice Admiral Sir Walter Tarleton, K.C.B. of clearing his reputation by being tried by a Court Martial,"

said, that during the 30 years that he (Captain Pim) had been in Her Majesty's service, in all parts of the world he had never heard of a more deplorable circumstance than the loss of the *Vanguard.* The Minute of the Admiralty on the subject had also caused great dissatisfaction throughout the Service. He was sorry to say that there was discontent both among officers and men in the Navy, and the extent to which the discontent prevailed among the latter was shown by the number of desertions which increased every year. In 1874 there were no fewer than 800 desertions, last year the number had risen to 1,100, and no doubt this year it would still further increase. He believed that if a court martial were granted to enable Admiral Tarleton to clear his reputation, it would give great satisfaction to the Service, and it was with that view he proposed the Amendment.

Mr. NORWOOD, in seconding the Amendment, expressed his opinion that the explanation given that night by the First Lord was not altogether satisfactory. The action of the Admiralty, on two points, had served to attract attention of an unfavourable character from the public at large. One was, that the Admiralty had absolved Admiral Tarleton and Captain Hickley from all blame, and had refused to submit their conduct to an inquiry by court martial, and the other point was, that, at the same time, they had dismissed a young lieutenant from his ship. What was the explanation of the right hon. Gentleman? He had said that the Admiralty had an Appellate Jurisdiction and possessed powers superior to those of a court martial, and that, having read the evidence, and examined charts, he had concluded that neither Admiral Tarleton nor Captain Hickley was to blame. Therefore, it was that the Admiralty declined to put those officers on their trial by court martial. But the nation had suffered a heavy loss in the sinking of the *Vanguard,* and in his (Mr. Norwood's) opinion every person implicated in that loss, however remotely, should have been brought to trial, and either punished or completely cleared of all blame in the matter. In the Mercantile Marine, whenever an accident occurred, a Board of Trade Inquiry was held, and the whole affair was sifted and its details laid clearly before the public, and it was of equal importance that the same course should be taken in the event of disaster to our Navy. It was most unsatisfactory to the country at large that the right hon. Gentleman and his professional Advisers should have thought fit to set aside the deliberate decision of a court martial of unexceptional authority, and should have refused to allow of further inquiry being made into the cause of the accident. As it was, the First Lord of the Admiralty had thought fit to screen two officers, one having command of a most important Squadron, the other commanding one of our largest ships, and to avoid the full inquiry which the nation had a right to expect. In his opinion, it was a most extraordinary statement that the high rate of speed at which the vessels were going in a fog had not contributed to the accident, and to show the difference of treatment as to the Mercantile Marine he might instance that one of his steamers had been found to blame by the Judge of the Court of Admiralty because she had run over another vessel while proceeding in a fog at the rate of only four-and-a-half miles an hour. The argument that it would have been difficult to alter the fleet's rate of speed, because it would have entailed a change of course to avoid running on to the Kish shoal was absurd, because there could be no difficulty in vessels obeying two simple and well-understood signals in succession. He could not attempt to vouch for the accuracy of the statement; but he had certainly heard it stated that the officers were fêted in every place at which the Squadron touched; that the state of discipline was lax; and that, as a matter of fact, the ships were steaming at a high rate of speed at the time of the accident in order that the officers might reach Cork sufficiently early to be present at a ball which had been arranged for their amusement. Whether that was or was not true, he could not help regretting that the Motion of his right hon. Friend the Member for the City of London was not more definite in its character. The clear duty of the Leaders of the Opposition was to raise a distinct issue, and to ask the opinion of the House as to whether the First Lord of the Admiralty had performed his duty with a stern determination to maintain the high honour, position, and discipline of Her Majesty's Navy, and whether it was not just to Admiral Tarleton and Captain Hickley to deny them an opportunity of defending their conduct before the Service and the country?

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words, "in the opinion of this House the opportunity should be afforded to the Admiral in Command, Vice Admiral Sir Walter Tarleton, K.C.B. of clearing his reputation by being tried by a Court Martial,"—(*Captain Pim,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BENTINCK said, he fully endorsed the opinion of the hon. Member who had just spoken (Mr. Norwood), that the Motion of the right hon. Gentleman opposite (Mr. Goschen) was of a very unsatisfactory character; but he was bound to add that he did not think any Motion which the right hon. Gentleman could have brought forward would have been of a satisfactory character. He made that remark in no disparagement to the right hon. Gentleman, but on the ground that the subject was one which that Assembly, with all its talent and ability, was not competent to deal with satisfactorily, because it was a subject involving too much professional detail. When he first read the Motion of the right hon. Gentleman he did not anticipate any good result from it, and the debate upon it so far confirmed that view. Recently there had been a lively discussion as to whether a certain question, which had been before the House, was or was not a Party question. At all events, this could not be considered a Party question. Whatever blame they attached to anybody, both sides of the House were, in his opinion, equally to blame in the matter, for he had no hesitation in saying that the primary cause of the loss of the *Vanguard* was the constitution of the Board of Admiralty. He agreed with the right hon. Gentleman opposite (Mr. Goschen) that one of the more immediate causes of the loss of the ship was her being undermanned; but had not the late Admiralty been guilty of doing the same thing when they were in office? Before bringing forward the Motion then, it would have been well for the right hon. Gentleman to have remembered that when he left office the Navy was in a state of debility and destitution. His right hon. Friend (Mr. Hunt) had done something, but not so much as might be desired, to repair the errors of his Predecessor. He, however, fully exculpated himself, and made out an excellent case, in reply to the charges brought forward by the right hon. Gentleman opposite. The subject had much better not have been brought forward for the credit of both sides of the House, for the present state of the Navy was a disgrace to the country. His right hon. Friend (Mr. Hunt) said that the ship was amply manned; but it was in evidence that she had landed 170 Coastguard men at Kingstown, and they being absent she was not in a position to deal with the emergency which followed. The *Vanguard* ought to have been sent away from Kingstown as a crippled ship, not fit to be in company with men-of-war in Squadron. He did not pretend to censure the sentence of the Court-martial—it was composed of men of the highest character, and presided over by one of the most distinguished officers in the Service; but he would make one remark as to the Admiralty Minute. He lamented that that Minute should have endorsed the mischievous doctrine that steamers were to maintain in a fog the rate of speed at which they were going. Why, there was no more cogent cause of collisions at sea than such a practice, and to find it endorsed by the Board of Admiralty—and, therefore, encouraged—was a thing which he could not but deeply deplore. A high rate of speed was the immediate cause of the disaster; for he believed that if speed had been reduced the collision would never have occurred, no discussion would have been necessary, and the *Vanguard* would have been still afloat. It was urged that by reducing speed the vessels would have been set inside the Codling Bank. Well, he had known the Codling Bank for 50 years, and, unless the tides in the Irish Channel had very much changed of late, the Admiral, by altering his course two points to the eastward, might have reduced his speed and kept clear of the Codling Bank. With respect to Admiral Tarleton, he entirely endorsed the opinion which had been expressed by his right hon. and gallant Friend (Sir John Hay). He looked upon Admiral Tarleton as a very ill-used man, and hoped he would be afforded an opportunity of relieving himself by the sentence of a Court-martial of probably an unjust imputation. The same observation applied to the officer of the watch of the *Iron Duke*, Lieutenant Evans. He would not go into the question whether that officer was or was not guilty of a breach of discipline, or orders, in altering the course of the vessel and not reporting the fact immediately to the captain; but he maintained that to alter the course was a sensible and seamanlike thing to do; and further, that if the course as altered had been maintained and persevered in, the disaster which occurred would not have ensued.

MR. SERJEANT SHERLOCK said, the hon. Member for West Norfolk (Mr. Bentinck) had told them that this was a question which the House did not understand—that it was so completely technical that it ought to be decided by another tribunal. Now, whether that House was or was not the proper tribunal to settle the matter under discussion, one thing was certain, and that was that the country at large had formed an opinion upon the causes of this great calamity—namely, that the captain of the *Vanguard* had been hardly dealt with. The Squadron was going at a reasonable rate of speed, a fog suddenly came on, a ship crossed the bows of the *Vanguard*, orders were given to change her course to avoid running down that ship, and before the effect of that change was perceptible the *Iron Duke* appeared, and in 30 seconds the collision occurred. Now, the two transactions were so entirely unexpected that he questioned whether any human foresight could have anticipated, or any human wisdom have prevented, the collision under the circumstances; and if a Court-martial sitting deliberately and determining upon rates of speed, points of steering, and various nautical matters without any sudden emergency to excite them, with plenty of time to deliberate, and no responsibility for the preservation of human life pressing on them, came to the conclusion that Captain Dawkins should have preserved the same coolness as they did when sitting weeks afterwards to decide these questions, he thought such a sentence was one that was eminently severe, rigorous, and unjust. The first charge againt Captain Dawkins was, that he left the deck before the evolutions were completed. He had sailed from Kingstown at half-past 10, and was on deck until half-past 12. The Squadron was then well clear of the Kish Bank, no possible danger was anticipated, and he went below for seven minutes and then returned on deck. It appeared that Captain Hickley, on board the *Iron Duke*, had remained on deck precisely the same time, and had curiously enough gone below for exactly the same time, and yet he was absolved, as if his ship had completed her evolution. He did not mean to cast the slightest imputation on Captain Hickley, but to a landsman it appeared that the same measure of justice should be meted to each, and he was at a loss to understand what neglect of duty there was in the one case that there was not in the other. They were told that there were indications of a fog, but an indication of a fog in the Irish Channel in the month of September meant nothing more than that the sky was not very clear, and most hon. Gentlemen who were in the habit of crossing the Channel must have had experience of fogs, and must know how suddenly they sprung up, particularly at that period of the year. Within seven minutes after Captain Dawkins had gone below he appeared on deck, and he had scarcely done so before it was announced that there was a ship right ahead of him. His first order was to change the course of the *Vanguard*, he ran forward to see that order executed, and in three minutes from the time when the ship was reported "right ahead" the collision took place. What possible arrangement could be made at that moment? Who could have anticipated that the *Iron Duke* was so near? There was no time to make any signal to the *Iron Duke* notifying a change of speed or course on the part of the *Vanguard*. Again, Captain Dawkins reduced speed, and they had the opinion of the hon. and gallant Admiral (Admiral Egerton) that in doing so he had committed no error. It was a matter of safety and proper precaution, and to condemn Captain Dawkins for lessening speed, while by the same Court-martial the Admiral was blamed for keeping up his rate of speed, was a thing which, to him, was altogether unintelligible. But it was said that Captain Dawkins did not take proper precautions to save the ship after the collision. But the evidence showed that the tremendous collision had misplaced the apparatus for closing the water-tight compartments, and the rush of water was so enormous and so sudden that the saving of the ship under such circumstances was hopelessly impossible. According to the report of the divers, the aperture made in the *Vanguard* by the collision was 15ft. high by 4ft. broad, and there were 350 tons of water per minute flowing into her, so that no human being could have believed that the vessel would stay afloat for 70 minutes. The likelihood rather was that she would go down in 15 or 20 minutes after the collision. One of the engineers had deposed that in a few minutes he was up to his thighs in water; and in similar circumstances, supposing there was to be a rush of water from the Thames into that House, he apprehended the first thing they would do, would be to look after their own lives, although the occupants of the Treasury bench might sit and deliberate on the best mode of pumping out the water; and so the first thought of the captain was to save the lives of his officers and crew. Captain Dawkins was responsible for 350 lives. By the wise course he adopted he saved every life on board, and if he had wasted precious time in trying to pump out this deluge of water, or trying to stop this breach with sails, every life on board would have been sacrificed. It was not feasible to take the *Vanguard* in tow, for she had sunk so low that the water had reached to the name of the ship, and if Captain Dawkins, in such a fog, had perilled the lives of his crew by taking such a course it would have been anything but judicious. It had been alleged that the line taken by the Admiralty in differing from the decision of the Court-martial had been adopted in order to screen Admiral Tarleton and Captain Hickley. He owned that the explanation given that evening by the First Lord of the Admiralty was perfectly satisfactory as to the reasons which had led them not to put Admiral Tarleton on his trial. It had been said that in justice to Admiral Tarleton, Captain Hickley, and the other officers concerned, they ought to have the opportunity of demanding that Court-martial. But by that Admiralty Minute Admiral Tarleton had been entirely exculpated from blame, and he did not see how, after that Minute, the Admiralty could call upon Admiral Tarleton to be tried by Court-martial. All that was imputed to any of the gallant officers concerned, whether condemned or acquitted, was an error of judgment, and the House would remember that 100 years ago a naval court martial had most cruelly condemned a gallant officer to death for an error of judgment. It had been said that Admiral Tarleton must keenly feel his present position, but he would feel it still more keenly, after having been exempted by the Admiralty from all blame, that he should be called upon by the House of Commons to stand his trial as a criminal. He could not help thinking that Captain Dawkins had been treated with great severity—nay, more, with considerable injustice in these proceedings, and trusted that both Captain Dawkins and Lieutenant Evans, who had been condemned, would be speedily restored to the Service.

CAPTAIN G. E. PRICE said, he wished, as the Representative of a large naval constituency, to say a few words by way of protest against the course taken by the Admiralty in this matter. He wished to bear testimony to the moderate and truthful manner in which the right hon. Gentleman opposite (Mr. Goschen) had so well put his case, although he must take exception to one or two points of his speech. The first reason given by the Court-martial for its decision was the high rate of speed at which the fleet was going. As an officer who had had some experience of fleets of modern days both in and out of fogs, he saw nothing exceptional or out of the way in the speed at which the Squadron was going. So far as the fleet itself was concerned, five, six, or seven knots an hour was by no means an unsafe speed for the ships under the circumstances. But they had to deal with vessels not belonging to the fleet, and with which they might come into contact, and then arose another question altogether. Captain Dawkins was not called upon to determine whether seven or eight knots an hour was the proper speed. He had his Signal-Book to go by, and he considered that he was at liberty to cast off from the Admiral and fall back on the regular provision made for him by the Admiralty Instructions. The First Lord of the Admiralty stated that the Admiral was obliged to go at a certain speed in order to arrive at his destination at a certain time, and to this it had been very truly replied that it was not necessary he should arrive at Queenstown at any particular time.

Even if two signals had been necessary instead of one, there would have been no difficulty in carrying out the required evolution. He had been in many fogs with the Channel Fleet, and as long as there was not a rough sea or gale blowing there was no excuse for a fleet becoming disorganized in this way. In a fleet properly organized and with a proper complement of signalmen there was not the slightest excuse for disorganization. With regard to Lieutenant Evans, he could not help thinking that one officer had been sacrificed to save another, A great deal had been said about the course of the ship, but he wished to say that during his experience, he had seen the same course taken in several instances, not only by the lieutenant of the watch, but by the captain in charge of the ship, and even by Admirals in charge of their Squadrons. In more than one instance he had known the rather particular formation called quarter line to be taken in a fog in preference to that commonly called line ahead. He could not think the course taken by Lieutenant Evans in sheering the ship to the left hand was calculated to bring about the accident, and it had been ably shown that if the course he began had been pursued no collision would have happened. What caused it was the improperly steering into line of the *Iron Duke*. When the captain came on deck he found the ship had been sheered out of her course, because Lieutenant Evans—holding views which, though possibly mistaken, were shared by others—thought it safer to be a little on one side than in a straight line with a fog. The captain thought differently, and, finding the ship in the position she was and going at the speed she was, instead of sheering her gradually, reducing speed, and ascertaining whereabouts the *Vanguard* was, sheered his ship at once towards the line she had been in, and naturally produced the collision. He could not have adopted any other course more likely to produce a collision if he had wished to bring one about, or if the *Vanguard* had been an enemy's ship which he had chased into the fog. The right hon. Gentleman opposite (Mr. Goschen) had spoken of the fact that a large portion of the crew had been left at Kingstown, but he (Captain G. E. Price) did not think that that could have had anything to do with the matter, seeing that such ships were navigated less by blue-jackets than by stokers and officers in charge, and more especially by signalmen; and he regretted that the Returns did not show the numbers and rating of the different descriptions of men on board, because he feared there was not the proper proportion of fully-qualified signalmen. Then as to the purpose and intention of the cruise, though the right hon. Gentleman opposite was very moderate in the present tone of his speech, yet in one part of it he said in effect to the present Board of Admiralty—"Look at what you did; you sent the fleet round the coasts of the country for the purpose of gaining popularity." He (Captain G. E. Price) thought that was a pity, for he could say from his own experience that the Channel Fleet had visited more important places than this Reserve Squadron did, such as Belfast, Greenock, Liverpool, and Holyhead, stayed longer at them, and received more hospitality, extending to as many as 30 balls in 10 days, or three or four a-night; and, if the nursery of the fleet might accept so much hospitality, he could not see why the veterans of the Reserve should be denied their share. It had been said that if the *Vanguard* had been taken in tow she might have been saved to the country. He did not think that was possible. He had been concerned in the towing of the Floating Dock to Bermuda, and, therefore had enjoyed the advantages of some experience in such business, but he believed it would have been futile and absurd to have made any attempt to tow the *Vanguard*, full of water as she was, with her men trying to save the ship until they had to save themselves; and if the *Vanguard* had been towed into shallow water she would have been less safe than she was at present, because on the Kish Bank she would have knocked herself all to pieces. As to the popular demand for a Court-martial on the officers, and the reference that had been made to Admiral Byng, that officer was not shot in deference to public opinion; he was put out of the way to divert public attention from the mismanagement of the Admiralty. On that occasion, the public thought they saw an attempt on the part of a British officer to avoid an action with an enemy, and on this occasion they thought they saw officers screened from justice. Foreign nations looked up to us with the greatest respect in matters of organization and discipline, and it was to be regretted that there should appear on the part of the Admiralty a shirking of the fullest investigation. Notwithstanding his criticisms, he felt sympathy for the First Lord of the Admiralty, who was not so responsible for this result as was generally supposed. A good deal had been said as to the Naval Advisers of the Board of Admiralty; but if the right hon. Gentleman who brought forward this subject had been First Lord at the time this accident happened, and if he had received, as he would no doubt have received, the very same advice as the present head of the Admiralty received from his Naval Advisers, he doubted whether he would not have followed precisely the same course. If he did not, he would have been setting himself up with that consummate ignorance which all First Lords of the Admiralty had on naval affairs, upon a professional point against the advice of some of the best officers of the Navy. He could not vote for the Motion of the right hon. Gentleman opposite, but he must record his protest against the action the Admiralty had taken, and against the system which rendered such action possible.

MR. T. BRASSEY said, he had long been convinced that the Admiralty kept too large a proportion of our young officers and seamen in harbour ships, and, in his view, the necessity for increasing the number of sea-going ships in commission was conspicuously brought out in the course of proceedings at the Court-martial at Devonport. In order to show the urgent need for more experienced seamen in the Navy, he would refer to some details of the evidence given by various witnesses. Was it not unsatisfactory that the men who were placed in the most responsible positions, such as look-out men and signal men, were only ordinary seamen? An ordinary seaman was stationed as look-out man at the top-mast head of the *Vanguard* who had been only eight months in a sea-going ship. At the top-mast-head of the *Iron Duke* there was also an ordinary seaman who, when asked how many cables' length the *Vanguard* was distant from the *Iron Duke* when last seen, replied that he did not know the meaning of the word cable. The entire management and manœuvring of a ship by the officers in command might depend on the experience and judgment of the men on the look-out aloft, and if they were not efficient the gravest consequences might ensue. The case of Lieutenant Evans had repeatedly been mentioned, and it must be a source of great regret to find that a lieutenant placed in charge of one of our most costly ships on a critical occasion was an officer who, although he had held a lieutenant's commission for three years, had only been three months in a sea-going ship. The seaman placed as a look-out on board the *Vanguard* was an ordinary seaman, and it was in consequence of his reporting a ship ahead that the *Vanguard* stopped and the collision followed. It turned out that this seaman had been treated twice for blindness in the right eye, which was the organ directed to the supposed ship. The state of the signal department in the *Iron Duke* was most unsatisfactory. Not only was the officer of signals imperfectly acquainted with his duty, but the signalman whose duty it was to report signals, and whose efficiency depended on the full possession of the faculty of hearing, was stone-deaf in one ear. The stoking department in the *Iron Duke* was also in an inefficient state. In short, the results of the inquiry as to the loss of the *Vanguard* had revealed the fact that there were a great many inefficient seamen in the fleet, and we had not been without a warning on the subject from other sources. Within the last 12 months two very able lectures on the condition and training of the fleet had been delivered by Captain Wilson, who had just completed a term of three years' service as captain in charge of the training establishments of the Royal Navy. It had been shown that they only trained enough boys to keep up the number of seamen voted for service in the fleet, and yet while the number of boys was kept at the minimum, the sea-going ships in commission could only take three-fifths of those youths to sea who left the training-ships, so that the remaining two-fifths, instead of being sent to sea were sent to harbour-ships. Having shown some of the evils of the present system, he might be asked what remedies could be applied. He thought the initiation of the Flying Squadron by the right hon. Gentleman the Member for Pontefract was exceedingly valuable. The annual cruise of the

Channel Squadron was also valuable, and he was delighted to hear that it was in contemplation to extend the duration of that cruise in future years. These were steps in the right direction. It was, however, to be regretted that so many fine seamen were to be seen employed in harbour ships, and that something more should not be done with the view to give more thorough training at sea to the young seamen of the fleet. He trusted that the Admiralty would feel justified in making proposals for the building of vessels of a class which might be used for the purpose of instructing men in seamanship, and could be attached as tenders to our present training-ships at Portsmouth and Plymouth. It might be said that to send officers and seamen to sea in sailing-ships would be an imperfect preparation for service in iron-clads; but, on the other hand, many of the qualifications that were necessary for the management of an iron-clad ship could be acquired in vessels that would be built, equipped, and maintained at much less cost to the country. It had been pointed out by the Secretary to the United States Navy, in a Report which he made on the subject in 1869, that an iron-clad, which was always under steam, was a bad school of seamanship, and that promptitude and nerve, qualities so essential in naval battle, were not so constantly brought into play as they were on board a large sailing-ship. In conclusion, he would remind the House that our Navy presented an illusory appearance of strength, unless the seamen voted for the Service were thoroughly trained in their duties at sea.

Mr. STAVELEY HILL said, the inquiry that was made by the Court-martial was a full inquiry under Sections 91 and 92 of the Naval Discipline Act. The court martial, after full evidence, arrived at certain conclusions, and the question was to what extent were those conclusions borne out by the evidence, and to what extent the correction of those conclusions by the Admiralty Minute was justifiable. After the very full statements of the right hon. Gentleman the Member for the City of London and of the First Lord of the Admiralty, very few facts remained for discussion. There was very little discrepancy in the evidence. The evidence showed that the accident was owing to a reduction of speed by the *Vanguard* and to the *Iron Duke* sheering to port. He did not think anyone could have listened to this discussion and have read the evidence without coming to the conclusion that it was the duty of the *Vanguard* to maintain the rate at which she was going until her signal that she was about to reduce that rate was heard and answered by the *Iron Duke,* which was following her. The *Vanguard* reduced her speed from eight knots to six, and then to five. He thought it seemed clear not only to seamen, but to landsmen, that no man going ahead in a fog had a right to stop unless he had given a signal which was answered. The Admiral's course was laid for clear weather; the fog came on suddenly without giving him an opportunity of signalling to his fleet what they were to do, and he had laid a course which for 12 or 13 miles was a clear stage. Next Admiral Tarleton certainly had given an opinion by which it seemed that the captains of the vessels might have shielded themselves—namely, that they might have acted according to their own discretion in a fog; but that opinion only applied to single vessels navigating by themselves, and not to vessels immediately following one another, and that could not, therefore, warrant a leading vessel to alter her pace without communicating with her comrade. It had been urged that both the captains having gone below and having returned on deck at the same times, the one had been punished and the other had gone scot-free; but the leaving the deck and the returning had been attended by very different results —the captain of the *Iron Duke*, on returning on deck, had corrected the error of his lieutenant; Captain Dawkins, on returning, had slackened his pace, and so had led to the collision. The Admiral, having laid down a distinct course and the rate of sailing, could not have foreseen what did happen, the sudden reduction of speed and the sheering of the *Iron Duke*, and the return into the proper course which did produce the collision. For that disaster, it appeared from the full and very clear statement of the First Lord of the Admiralty, Captain Dawkins was primarily responsible. The whole facts were brought out by the court martial, and the eminent naval officers on the Admiralty Board no doubt drew the fair and just conclusion from them which was embodied in the Admiralty Minute. The right hon. and gallant Baronet the Member for Stamford (Sir John Hay) had called the Admiralty Minute a "wretched" Minute — an epithet which he thought the right hon. and gallant Member would regret having used. The Minute went most carefully into the whole matter, going *seriatim* over the various points in the finding of the court martial; and the First Lord of the Admiralty had fully substantiated the judgment given in the Minute upon those findings. It was quite clear, upon a full perusal of the case and the evidence, that some of the findings were not borne out by the evidence, and, indeed, were inconsistent with each other. It had been suggested that it was improper to have a Court of Appeal like the Admiralty when there had been so eminent and well-qualified a tribunal as the court martial was in that case; but he maintained that there was great advantage in an appeal under such circumstances; and he denied that it was any interference with the rights of the Court below, or that it was at all giving it a "snub," for a body like the Admiralty to say to it—"We do not confirm your findings, but we negative a number of them." The Admiralty sat not only to consider sentences, but to consider findings on evidence. Some speakers had given a degree of countenance to the popular outcry about the great men having been let off, while the small men were punished. There was no justification whatever for that insinuation, and he was sorry to hear it sanctioned by anyone in that House; because, disastrous as it was that so great and expensive a work of English skill and English industry should lie decaying and silted-up amongst the sands of the Irish Sea, far more disastrous to the country than the loss of the *Vanguard* would it be if it were once thought that one whose name had always been distinguished for high honour and a love of fair dealing could be capable of sacrificing a subordinate in order to save one in high authority.

MR. SAMUDA said, he did not rise to follow in the track of the observations which had been made by hon. Members on other parts of the case. His object was to impress on the Admiralty the necessity of considering how far the construction of the *Vanguard* had led to the disaster, and the means of preventing such catastrophes in the future, for we had six ships constructed upon the same principle as the *Vanguard*. In her case it was clear that the point most worthy of remark was that, had the bulkheads been absolutely tight, the vessel would not have been lost. The total extra immersion resulting from the inflow of the water at the place where the blow was struck would in that case have been something under two feet six inches. But the bulkhead doors did not act effectively, and the water, in consequence, went over the greater part of the ship. Was this result to be looked for in the remaining vessels of the same class? If it was, and if doors were absolutely necessary in the bulkheads, it was clear they ought to be of a better description than those of the *Vanguard*—sliding doors, perhaps, instead of hinged doors; but in his opinion it would be perfectly possible to do away with them altogether at the point and in the position where their inefficiency resulted in the loss of the *Vanguard*. It was also to be observed that on board the *Vanguard*, not only the regular, but the auxiliary pumping arrangements were in the engine-room. Now, if the auxiliary pumps had been on deck they would have been available even when the engine-room was under water. It had been said that if Captain Dawkins had given his attention to rigging his pumps instead of getting out the boats he might have saved his ship. Now, he had gone carefully into the matter, and he could say the supposition was entirely erroneous. The effect of using all the available pumping power would have only been to keep the vessel afloat about three minutes longer than was actually the case. All this, as the House would see, pointed to the necessity of removing the auxiliary pumping arrangement from the engine-room altogether, and placing it on deck above water—a change it was most desirable should be carried out in the existing five vessels similar to the *Vanguard*. On the merits of the case which the House had been discussing he had only a word to say. He did not see how the Admiralty, on the showing of their own Minute, could altogether absolve the Admiral from blame, and it appeared to him extraordinary that while Captain Dawkins and Captain Hickley both left the deck of their vessels, the one should have been punished and the other not, and that Lieutenant Evans should be blamed for altering the course to avoid danger, and Captain Hickley praised for a similar act done with a similar object, but which nevertheless resulted in disaster. The same description of inquiry, in his opinion, ought to have been applied to all ranks of the Service alike. He certainly thought, looking at all the circumstances of the case, that some further judicial inquiry should be made into the conduct of the Admiral and of Captain Hickley.

Lord ESLINGTON said, the House of Commons was called upon to judge of the evidence which had been placed before them, and he hoped they would rise to the dignity of the occasion and decide it in a thoroughly judicial manner. They had heard both the charge and the defence which had been placed before them by the two right hon. Gentlemen, the Member for the City of London and the First Lord of the Admiralty, with equal ability, knowledge of details, clearness, and perspicuity. The manner in which they had handled the subject would go far to dispel the opinion entertained by many that civilians, assisted by a competent council of naval officers, were unable to conduct the business of the Admiralty. He admired the way in which the charge had been brought forward, and he still more admired the defence. But what was the charge? Shortly stated it was this—Why did you, the Board of Admiralty, not bring Admiral Tarleton and Captain Hickley to a court martial? Well, they had heard the reply to that. They could not try a man for what he said; they must try him for that which he did; and the gist of the defence was that the Admiralty were convinced in their own minds that Admiral Tarleton was not the cause of the disaster, and that he had nothing to do with the disaster. The First Lord of the Admiralty said, in effect—"I have taken the unanimous advice of my Naval Council, and they are convinced that the Admiral has in no way conduced to the accident." The right hon. Gentleman said further—"Feeling that strong conviction on my mind, I shall overrule that part of the court martial which said that the rate of speed was the cause of the disaster. I honestly believe that Admiral Tarleton in no way conduced to the accident, and how can I frame a charge against him which will justify me in bringing him before a court martial?" That was the defence, and it was an honourable defence. Was the charge sustained, or was the defence adequate and just? His conviction was that when the whole discussion went before the country—when it was found that the Naval Administration was composed of three officers to find whose equals they might search the profession through and fail—when it was found that, guided by such opinion as this, the First Lord could not make up his mind to frame a charge against the Admiral—his belief was that the country would acquit his right hon. Friend. There was one other point. Why had the officers not demanded a court martial themselves? Surely, if they had demanded it, it would not have been refused them? That was a course which he wondered the officers did not adopt; and if it had been adopted he believed their application would have been granted. He believed, however, that the defence had been well sustained, and that it was satisfactory and just.

Mr. MORGAN LLOYD asked what was the direct cause of the accident? The direct cause appeared to be in evidence. When Captain Hickley came on deck the ships were in the relative position of departing from each other's course. It was clear, then, that had this course been followed out the accident could not have occurred. At that moment, however, Captain Hickley, though informed by Lieutenant Evans of the course the vessel was running, gave the order to port the helm, and thereby caused the *Iron Duke* to run into the *Vanguard* amidships, which was the immediate and direct cause of the accident. It was, therefore, clear that, whoever else might have been to blame, Captain Hickley was primarily answerable. It was also clear that Admiral Tarleton did contravene one of the Standing Orders of the Admiralty in allowing the Squadron to go at such a speed during a fog; and, that being so, both Admiral Tarleton and Captain

Hickley ought to be placed on their trial.

MR. A. EGERTON said, that no one objected to the Motion of the right hon. Gentleman the Member for the City of London (Mr. Goschen), but he hoped the House would pause before accepting the Amendment of the hon. and gallant Member for Gravesend (Captain Pim). The House was asked by that Amendment to order the trial of two officers by court martial without the intervention of the Admiralty. Such an Amendment, if carried, would sap the confidence of the Navy in those who were placed over them, and he trusted, therefore, that, whatever might be the result of the debate, the Amendment would be negatived. The hon. and learned Gentleman who had just spoken repeated the statement that Admiral Tarleton in going at the seven-knot speed had controverted a distinct Order of the Admiralty. This was precisely what the Admiralty contended that Admiral Tarleton had not done. They contended that he was perfectly justified in going at the speed which he ordered; and as to the course steered, South by East, there was no naval authority who would deny that that was the best course which could have been pursued under the circumstances. When he set the Squadron at the seven-knot speed the weather was perfectly clear. Was he then bound to reduce the speed directly the Squadron got into a fog? Certainly not. He saw before the fog came on that he had a clear course of 10 miles, and beyond that, the wind was light, there were no sailing vessels in the way, the course was out of the track of steamers, and the reduction of speed would inevitably have taken the ship too near the shoals. For these reasons it appeared to the Admiralty it would have been wrong to have brought any charge against the Admiral on the score of maintaining speed, while that part of his evidence to which exception had been taken had been misunderstood, for he had not meant to assert that Captain Dawkins was justified in reducing speed, without communication with the vessel following him; and even had the opinion expressed not been misinterpreted, the Admiral could not be tried for an opinion which had no effect upon the cause of the accident. As to the imputation that had been made on the discipline of the fleet by the hon. Member for Hull (Mr. Norwood), he had been assured that it was in excellent order, and that no complaint had been made of the conduct of the crews at any of the places on the Irish coast which they had visited. He hoped, therefore, that the House would dismiss from its mind the issue brought forward by that hon. Gentleman. Some people said—" Why did you not dismiss Admiral Tarleton ? " That was an easy enough question to put; but it did not really touch the point. Admiral Tarleton had served his country well; he was an able officer; he was an admirable organizer and administrator; and it would neither have been wise, just, nor right to have dismissed him for an accident which the Admiralty, after full investigation, had decided he was not responsible for. No one could doubt the justice of the finding of the court martial respecting Captain Dawkins, who, according to the views of officers of distinction and experience, ought not to have slackened speed except with the greatest caution and the most perfect understanding with the ship behind him. That was precisely what Captain Dawkins neglected, and this exposed him to the severity with which he was visited. It had been suggested that the ship was insufficiently manned. Her complement was 336; and there were 351 men on board; besides the ordinary proportion of officers, there were one extra lieutenant and two or three warrant officers, and it could not be contended that the total number was not sufficient to sail the ship. Passing from Captain Dawkins he came to the case of Captain Hickley, for not trying whom by court martial the Admiralty was blamed. Remark was made on the condition of the *Iron Duke's* steam whistle, but it seemed to be forgotten that the steam whistle could not be turned on at a moment's notice, and he could not see, therefore, that any accusation could be brought either against Captain Hickley or the officer of the watch with respect to the condition of the whistle. The truth was, that whether the steam whistle was blown or not was a matter which had very little effect on the accident. There was, further, no reason to suppose that Captain Dawkins had been guided by any signal from the *Iron Duke*, for he had reduced steam without any communication with that vessel. What led to the accident was that the *Vanguard* had been brought back three cables' length to a spot where the *Iron Duke* had no reason to look for her. It was also said that the fleet was ill equipped and badly commanded; but the equipment was, he thought, perfectly good; while as to the crews, the Admiral was entirely satisfied with them. Some of the ships, no doubt, were badly commanded; and with one that certainly was the case. Generally speaking, however, the fleet was as well officered as usual, and he hoped the effect of the long discussion of that evening would be to convince the House that the Admiralty had not issued the Minute without careful inquiry and without having obtained the best advice in their power.

Mr. SEELY, in moving the Adjournment of the Debate, said, that the main ground on which he relied as proving that the Admiral was wrong, was the finding of the court martial that the speed of the Squadron was too high. The statement of the First Lord, at the same time, he must confess staggered him; but as the subject was a technical one, and required considerable care in its examination, he did not wish the House to come to a decision upon it without having time to consider the arguments on both sides. It was alleged by some that a lieutenant had been dismissed unjustly while an Admiral had been also unjustly acquitted, and if an adjournment of the discussion, in order to give an opportunity of considering the arguments on either side, were refused, an impression would be created that there was a wish to favour the great at the expense of the small.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Seely.*)

Mr. DISRAELI: Sir, there is a Motion before the House by the right hon. Gentleman the Member for the City of London, and an Amendment has been moved, without Notice, by some hon. Gentleman who sits on this side. I trust, in the first place, that both sides of the House will agree not to sanction Motions without Notice. The practice of proposing Motions without Notice, if of frequent occurrence, would completely destroy all our Parliamentary order; and if there be any subject on which such Motions should be particularly discouraged, it is a subject like the present —the gravest that can possibly be brought under our consideration. Whatever may be our decisions upon these matters, let them be mature decisions, after grave deliberation and with due Notice. I conclude, therefore, that there will be no encouragement given to-night on such a subject as the British Navy—for it is that, in fact, which is in question—to thoughtless Amendments. Then I come to the real question before us, which is the Motion of the right hon. Gentleman the Member for the City of London. That Motion was brought before the House in a speech of exhaustive criticism, and I think that all who listened with the attention, at least, that I did, will willingly bear witness to its commanding merit. It was answered, on the other hand, by my right hon. Friend with a clear, a complete, and a manly statement. I have seldom heard in my Parliamentary experience a great and complicated case so completely put before the House as this case has been by the two right hon. Gentlemen. Well, the right hon. Gentleman moves for Papers of some importance—I have seen the heads of what he wishes to possess—and the Government make no opposition to his request. Well, then, why are we to adjourn the debate? The object is attained. Two of our principal Members —the two men most qualified to address us on the subject—have addressed us in a manner which has commanded the entire sympathy and respect of the House. We are now in possession of the case. An hon. Gentleman in the course of the debate spoke of the unsatisfactory character of the Motion of the right hon. Gentleman the Member for the City of London. In my opinion it was exactly the Motion that ought to have been made. The object of the right hon. Gentleman was that the House should be in full possession of all the facts. The right hon. Gentleman does not estop himself for the future, for the case being now before the country and the House, he will have an opportunity of considering what has occurred this evening, and it will be perfectly open to the right hon. Gentleman or to his Friends when they have the Papers to take any course they may think proper. With respect to the hon. Member for Lincoln, who has moved the Adjournment of the Debate, I must remind him, and I do it with great regret, that he would be disqualified from taking any part in it on account of the observations he has just made. Well, then, as I cannot suppose that the House will sanction a Motion without Notice, I must say I shall resist the Motion for Adjournment. In case it be persisted in, which I cannot contemplate, I must take the course which I think it my duty to take, not only on account of the manner in which the question has been placed before us, but also because the state of Public Business would render it most inconvenient that there should be any further discussion. As the Army Estimates will be introduced on Thursday, and the Navy Estimates on Monday, there will be ample opportunity for bringing forward any Motion connected with the Navy hereafter.

THE MARQUESS OF HARTINGTON: I hope that, at all events, the House may be able to come to some unanimous opinion upon this subject. I believe that the object of my hon. Friend the Member for Lincoln in moving the Adjournment of the Debate was that the House might have an opportunity of considering the statement made on behalf of the Government, and that he thought the most convenient mode in which the discussion could be renewed would be in the form of an adjourned debate, when it would be possible for any hon. Member to give Notice of his intention to move some Amendment expressing the opinion which he held. But, after the statement of the right hon. Gentleman at the head of the Government, I doubt whether it would be necessary for my hon. Friend to persevere in his Motion. I think that some of us on this side of the House were doubtful whether it would have been better, or, indeed, entirely fair to the Government, after the question had been discussed throughout a whole evening, that it should be again raised; but, after the statement of the right hon. Gentleman, it is evident that there is no objection on the part of the Government to the question being again raised by any hon. Member who might wish to submit a definite Resolution to the House on the subject. [Mr. DISRAELI assented.] If that is the distinct understanding, I do not think that any object would be gained by adjourning the debate. The right hon. Gentleman the Member for the City of London has obtained what he desired—namely, a full exposition of the views of the Government in the speech of the right hon. Gentleman the First Lord of the Admiralty. The country will now have time to consider that statement, and my hon. Friend the Member for Lincoln and other hon. Members will also have time to consider whether that statement can be or cannot be considered satisfactory, and whether they will take the sense of the House upon some definite Resolution. That is the view of the matter that I take at the moment, and I think that my hon. Friend the Member for Lincoln will do well, after the exposition of opinion elicited from the right hon. Gentleman at the head of the Government, not to press his Motion.

MR. SEELY said, he would withdraw his Motion for the Adjournment of the Debate.

Motion, by leave, *withdrawn.*

Question again proposed, "That the words proposed to be left out stand part of the Question."

MR. STACPOOLE asked whether it was incompetent for an hon. Member moving the Adjournment of the Debate to again address the House on the debate being resumed?

MR. SPEAKER: If the Motion for the Adjournment of the Debate were negatived, the hon. Member for Lincoln would not be entitled to address the House further on the original Motion.

MR. GOSCHEN hoped that the hon. and gallant Gentleman the Member for Gravesend would withdraw his Amendment on the ground that a division on the subject would be certain to embarrass any future action which might be taken with regard to it after the challenge which had been thrown out by the right hon. Gentleman at the head of the Government.

CAPTAIN PIM said, he would accept that view of the case, and withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Ordered, That there be laid before this House, a Copy of a further Minute relating to the loss of H.M.S. "Vanguard."

SUPPLY — REPORT — THE CIVIL SERVICE COMMISSION — APPOINTMENT OF LORD HAMPTON.

OBSERVATIONS.

SUPPLY [18th February],—Postponed Resolutions [reported 23rd February] *further considered.*

Tenth Resolution again read, as followeth:—

(10.) "That a sum, not exceeding £22,893, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission."

MR. MUNDELLA, in moving that the Vote be reduced by a sum of £500, said, that the late Chief Commissioner, Sir Edward Ryan, who died at the age of 85 years, had been actively employed up to the last in the discharge of his duties, which, with the able assistance of Mr. Walrond, were most satisfactorily performed. It was now proposed to give Lord Hampton £2,000 a-year as Chief Commissioner; but it should be borne in mind that he would have an Assistant with £1,200 a-year, and that he was now a Peer of Parliament, and had other important duties devolving upon him, so that he could not give to the discharge of the duties of the office the whole of his time, as his Predecessor had done. He thought the Government ought to have appointed Mr. Walrond Chief Commissioner. The Vote now proposed was £4,400 instead of £2,700, making a loss to the country of £1,700 a-year. He regretted to say anything that would give annoyance to Lord Hampton, who was held in high esteem by all the Members of that House; but the noble Lord was now 77 years of age, and was taking an important office, the duties of which the Chancellor of the Exchequer said on a previous evening were very onerous. This appointment had been greatly criticized by the Civil servants, and had created the greatest possible dissatisfaction, because it set the precedent that after long and laborious years of work there was no promotion for tried and efficient public servants, and a Peer of Parliament was to be placed over their heads. They, in fact, looked upon the post as one actually created for Lord Hampton, and if Lord Hampton took this office he should take it at the salary which his Predecessor received. The hon. Member concluded by moving that the Vote be reduced by a sum of £500.

Amendment proposed, to leave out "£22,893," and insert "£22,393,"—(*Mr. Mundella,*)—instead thereof.

THE CHANCELLOR OF THE EXCHEQUER said, he had been asked the other evening whether the business of the Department in question had increased as compared with last year. There was, he found, no marked difference; but the business had greatly increased of late years and was likely still to increase. He had always taken a great personal interest in it, and had been on the Committee that had led to its establishment. They were all doubtless aware of the hard battle the Civil Service Commissioners had had to fight to keep control over the appointments to the Civil Service, and he felt that while the mass of their work increased the delicacy and difficulty of the work increased also. Further than that, it would continue to increase, particularly if the views of the right hon. Gentleman the Member for the University of Edinburgh (Mr. Lyon Playfair) were carried out. What was the nature of that work? It was of a very peculiar character, and required the assistance of a man of peculiar qualifications. The duties were not merely the conducting of a certain number of examinations, but over and above that, he would have to exercise authority in dealing with all the Civil Service Departments as to questions which required the exercise of great tact, a good deal of firmness, and a good deal of authority. So far from Lord Hampton taking a new office in which he had to learn his business, it was exactly that part of the working of the Civil Service system in which his assistance would be invaluable. The noble Lord had administered three public Departments—that of Secretary for the Colonies, that of First Lord of the Admiralty, and that of Secretary for War. Besides that, he had acquired a large experience of public life, and great knowledge of the wants and necessities of the Civil Service, and their qualifications for the duties they had to perform. When the Civil Service Commission was created it was a tentative Department, and the Commissioners were, he believed, appointed without salary. It was afterwards found necessary to give the Commissioners a salary. When Sir Edward Ryan was first appointed a Civil Service Commissioner, in 1861, the number of candidates nominated and appointed was 4,867, while last year the number had grown to 14,638. That represented an addition to the work which, it might be said, was principally done by the examiners. But there was one duty imposed upon the Commissioners of great delicacy—namely, the examination of characters, which took a great deal of time. He wished also to point out not only the increase in the number of candidates, but also the number of new examinations imposed upon the Civil Service Commissioners since 1861. They had now to examine the candidates for the Army, the Royal Military Academy, the Royal Marines, the Indian Civil Service, the Indian Civil Engineers, the Foreign Service, together with the candidates for employment as writers. The Commissioners had likewise to conduct an important and difficult correspondence with the various Departments as to the character of the examinations and the questions to be put to candidates. The exercise of their functions led them into discussions relating to the higher regions of Civil Service organization. He himself had seen, since he had been at the Treasury, some such correspondence, in which the Controller and Auditor General took part. The correspondence of the Commission had grown from 32,000 letters in 1861 to 147,000 letters in 1875, the work was, therefore, in every way seriously increasing. It had been asked why, on the death of Sir Edward Ryan, Mr. Walrond, the Secretary, had not been appointed Commissioner in his place. Now, he thought it would have been rather hard upon Dr. Dasent, who was doing his work exceedingly well, if Mr. Walrond had been put over his head. With regard either to Dr. Dasent or Mr. Walrond, neither of them—excellent and valuable public servants as they were—could have filled exactly the same position as Sir Edward Ryan or Lord Hampton, who had a general acquaintance with public offices. It was said that the Civil Service was sore at this appointment; but was it always the case, or was it even desirable that such offices should be given to the Civil Service? He would not take the appointment of Dr. Dasent himself, who was not taken from the Civil Service, but from outside that Service; but the House would remember the case of Lord Cottesloe, who, as Sir Thomas Fremantle, was taken from that House and appointed to the Customs, and the case of Sir William Dunbar, who was taken from Parliament and made Controller and Auditor General. That was a proper relation between the political and the permanent Civil Service. No one was more in favour of giving the Civil Service a larger share of those appointments than himself; but such an appointment as that of Lord Hampton was peculiarly advisable. He (the Chancellor of the Exchequer) had advised the creation of this appointment without reference to any particular individual, in the firm belief that the organization of the Commission now carried out was best for the Civil Service. As to the salary of the Chief Commissioner, it was fixed on the theory that the office had acquired a greater position and *status* than of old, and that it was desirable it should be put on the same footing as the other Boards with which the Civil Service Commission came into communication.

MR. LYON PLAYFAIR said, he would admit that it was desirable sometimes that the highest Staff appointments should be made outside the permanent Civil Service; but when they had a man in any Department who did his work with remarkable ability, it was not right to pass him over in favour of one outside the Department, because such appointments discouraged the Civil Service, which had far too few offices of a high class to tempt men of great ability to engage in it. Here they had a Commission which had done its work admirably well. It might be said that Dr. Dasent's health would not allow him to undertake the onerous duties of First Commissioner, but was that a reason why they should appoint a man of 76 years of age when there was already acting as Secretary to the Commission a man of exceptional ability (Mr. Walrond) who was peculiarly qualified to fill the office? He was therefore sorry at the precedent which had been set, though, like all who knew Lord Hampton, he appreciated his public character. For his age he was one of the youngest men he knew, and he was a man of great knowledge and ability; still, as it was a necessity that they should have in this office a man of full and vigorous life, he thought this appointment was one that could not be justified, and he was very sorry it had been made.

MR. BROMLEY DAVENPORT said, that Dr. Dasent had borne the brunt of the office work for six years, and it would only have been a graceful act to advance his position on this occasion.

MR. LOWE said, the First Commissioners, who had a task of great difficulty to accomplish, and who had shown great tact and judgment in the organization of the Department, received no salaries at all. Now, when the period of salaries had arrived, the increase of the quantity of work in the office was quoted as a proof that the Commissioners had a greater amount of work to do. The fact was exactly the contrary; the larger the amount of work done in the office the less was the work of the Commissioners. He had no hesitation in saying that the work might be perfectly well discharged by one Commissioner, though he thought it right that there should be two in case any troublesome or difficult question should arise. Coming to the appointment of Lord Hampton, he was sorry there was not a vacancy in one of those pensions of ex-Cabinet Ministers so that one might have fallen to his share. Who ever heard of putting a man without any special qualifications, at the age of 76, into an office of this kind? The whole of the salary ought to be negatived, and the work left to two Commissioners.

Question put, "That '£22,893' stand part of the Resolution."

The House *divided*:—Ayes 159; Noes 126: Majority 33.

Resolution *agreed to.*

POST OFFICE TELEGRAPH SERVICES [LOAN].

COMMITTEE. RESOLUTION.

Considered in Committee.

(In the Committee.)

MR. W. H. SMITH, in moving to Resolve—

> That it is expedient to authorise the Commissioners of Her Majesty's Treasury to raise further sums of money, not exceeding in the whole the sum of Five Hundred Thousand Pounds, for the purposes of the Telegraph Acts, by the creation of Three per cent. Capital Stocks of Annuities chargeable on the Consolidated Fund of the United Kingdom,

said, the object was to provide funds to meet the various awards which had been made, under the Telegraphs Act, 1869, to various railway and telegraph companies. There was at present £200,000 to be paid under awards made during the last six months, and it was thought necessary to provide a further £300,000 to meet further sums which would be required this year. He hoped no further amount would be wanted.

Motion agreed to.

House *resumed.*

Resolution to be reported *To-morrow.*

SUPPLY.

Resolutions [25th February] *reported.*

First Thirteen Resolutions *agreed to.*

Fourteenth Resolution read a second time.

Motion made, and Question proposed, "That the further Consideration of the said Resolution be postponed."—(*Mr. Monk.*)

Motion, by leave, *withdrawn.*

Resolution *agreed to.*

PARLIAMENTARY AND MUNICIPAL ELECTIONS.

Select Committee *appointed,* "to inquire into the working of the existing machinery of Parliamentary and Municipal Elections, with power to suggest amendments in the same."—(*Sir Charles W. Dilke.*)

And, on March 8, Committee *nominated* as follows:—Mr. FORSTER, Sir JOHN HOLKER, Mr. SAMPSON LLOYD, Mr. VILLIERS, Mr. GIBSON, Sir HENRY JAMES, Mr. FLOYER, Mr. LEATHAM, Lord FRANCIS HERVEY, Mr. JOHN HOLMS, Mr. CHRISTOPHER BECKETT DENISON, Mr. SHEIL, Mr. STEWART, Captain NOLAN, Mr. GORST, Mr. EUSTACE SMITH, Mr. RIDLEY, Mr. BRUEN, and Sir CHARLES DILKE:—Power to send for persons, papers, and records; Five to be the quorum.

MANCHESTER POST OFFICE BILL.

Bill read a second time, and *committed* to a Select Committee.

And, on March 1, *Ordered,* That the Select Committee do consist of Five Members, Three to be nominated by the House, and Two to be nominated by the Committee of Selection:—That Mr. FLOYER, Mr. SAMPSON LLOYD, and Mr. LEVESON GOWER be Members of the Committee:—That the Committee have power to send for persons, papers, and records; Three to be the quorum.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented one clear day before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions.—(*Mr. William Henry Smith.*)

EPPING FOREST BILL.

Bill read a second time, and *committed* to a Select Committee, to consist of Five Members, Three to be nominated by the House, and Two to be nominated by the Committee of Selection.

Ordered, That all Petitions presented against the Bill be referred to the Select Committee on the Bill, provided such Petitions are presented one clear day before the meeting of the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions:—That the Committee have power to send for persons, papers, and records; Three to be the quorum.

And, on February 28, Committee *nominated* as follows:—Mr. KINNAIRD, Mr. CUBITT, and Mr. GOLDNEY.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 29th February, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Drainage and Improvement of Land (Irelan) Provisional Orders * (21).

Second Reading—Crossed Cheques (12).

CHURCHYARDS—THE BURIAL LAWS.

THE ARCHBISHOP OF CANTERBURY: My Lords, I have been intrusted with a number of Petitions from various parishes in my diocese praying your Lordships' attention to the subject of an alteration in the Laws of Burial. I desire, my Lords, in presenting these Petitions, to guard myself against being supposed to agree in every expression contained in Petitions which, as they do not refer to any Bill before your Lordships' House, deal rather with general propositions on the subject of the Laws of Burial. It may not be generally known to your Lordships that the two Houses of Convocation of the Province of Canterbury are at this moment, under Her Majesty's licence, engaged in a revision of the rubrics which have reference to the Burial of the Dead. In the discussion of those rubrics many questions will naturally arise with respect to the general Law of Burial in this country. It appears to me very desirable that those who are intrusted with Her Majesty's licence to discuss these questions should approach them quite unpledged, with a full consciousness of all the difficulties which surround the question, and having no desire to increase those angry feelings which unfortunately have been called forth by discussions which have already been raised on this Question. My Lords, I beg to lay the Petitions on the Table. I am sure they will receive every consideration from your Lordships, though those who present them are not pledged to any propositions which the Petitions themselves may contain.

Then Petitions against authorising any other religious service in churchyards other than those of the Church read, and ordered to lie on the Table.

CROSSED CHEQUES BILL.—(No. 12.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said: My Lords, when I brought this Bill before your Lordships' House, I postponed any explanation of it in order that it might be in your Lordships' hands in the first instance. I am now about to give a short explanation of the objects of the Bill, and of the reasons which render a measure on the subject necessary. Your Lordships are aware that crossed cheques have been for a very long time in use in this country; but it was not until 1856 that any notice was taken of them by the Legislature. Up to that time the crossing of cheques and the effect of it remained a matter of convention, or courtesy, between the banks; but in 1856 an attempt was made by the Legislature to give a statutory security to cheques which were crossed. A Bill was brought into the other House by a private Member, which became law;

and I am sorry to say that it is not a very happy specimen of legislation. It enacted nothing but this only—that any cheque crossed either generally "and Co.," or specially to some banker, should be paid only, in the one case through a banker, and in the other through the banker to whom it was crossed. My Lords, I think it is obvious that the framers of that measure overlooked one peculiar characteristic of a cheque—that no one can bring an action against the banker on a cheque but the person who draws it. This is because a cheque is simply a direction by the drawer to pay money of his which is in the banker's hands. Well, what happened after the passing of the Act of 1856 was this—some cheques from which the crossing had been obliterated were presented for payment. Bankers paid them, saying—"These are not crossed cheques, and there is nothing in the Act which tells us not to pay them." The consequence was that in 1858 another act was passed to remedy this defect. It provided that the crossing of a cheque should be taken to be a material part of the cheque itself, and that no banker should pay it if the crossing was removed, obliterated, or erased. That has been, then, the state of the law since 1858: But a case has occurred lately which has given rise to a great deal of apprehension and excitement in the commercial world. There was a cheque drawn on a particular bank—the Union Bank of London. The person who first received that cheque crossed it with the name of his own bankers, the London and County Bank. A servant took it to pay it into his master's bank, but lost it on the way. Some person found it, and subsequently it was passed for full value to a person who had no notice that the cheque had been found. The person to whom it was passed in the way I have just mentioned took it and paid it into his own banker, the London and Westminster Bank. This bank passed it through the Clearing House; and the Union Bank, not observing the name of the London and County Bank crossed on the cheque, paid it. That, of course, was an oversight, and such a peculiar case is not likely to occur again. But the person to whom the cheque was originally given, and who had lost it, Mr. Smith, brought an action against the Union Bank of London for the amount. The Court in which the action was brought—the Queen's Bench Division of the High Court of Justice—and afterwards the Court of Appeal, held that the action could not be maintained, and for these two reasons:—First, the Courts held that the cheque was a negotiable instrument to pass from buyer to buyer, and that the person who had taken it for full value without notice of infirmity of title had acquired a good title to it, and that Mr. Smith had lost his property in the cheque; secondly, that no person could bring an action on a cheque but the drawer, and that the drawer in this case had lost his property in the cheque, and consequently had lost his right to bring an action on it. This, my Lords, exhibited a new phase in the crossed cheque system, and, as I have said, it has given rise to no small amount of anxiety, and it was desired that a remedy should be provided. In the Bill now before your Lordships I have taken the opportunity of repealing the two Acts to which I have referred—the Acts of 1856 and 1858—but I re-enact the important and material provisions of both in a better form, so that the whole of the law of crossed cheques may be found in one enactment. Your Lordships will find in the Bill before you that the first eight sections do not contain any new law, but a simple re-enactment of the existing law. The 9th clause, on which I shall make some further observation, provides that—

> "A person taking a cheque crossed specially shall not have, and shall not be capable of giving, a better title to the cheque than the person from whom he took it had. But a banker to whom a cheque is crossed specially, and who has in good faith and without negligence received payment of such cheque for a customer, shall not, in case the title to the cheque prove defective, incur any liability to the true owner of the cheque by reason only of his having received such payment."

Now, as to the particular form a provision of this kind should assume, there is no doubt that the question has been raised that, as to whether you should impart this infirmity of title to cheques, crossed generally, or confine it to cheques crossed specially. Many persons advocate that you should legislate in this way for all crossed cheques. My Lords, it appears to me that would be a very dangerous course, and that it would be found so irksome in practice that there would be soon a demand for its repeal. Your Lordships will readily understand this if you consider for a moment one or two matters. A very great many persons in business will take in the course of a forenoon 20 or 30 cheques crossed simply "and Co." They receive and collect money due to them in that way, and send all those cheques to their bankers, who in the ordinary course pass them through the Clearing House. If, in the case of such cheques, an infirmity in the title of any one person through whose hands one of those cheques had passed were to prevent the ultimate holder from recovering the amount, the consequences would be very serious. A person who takes, perhaps, 20 or 30 of those cheques in a forenoon might find, not in weeks even, but in months after he had received a certain number of them, that one of that number had been stolen, and had passed through the hands of a thief, or some other person who had no title; but to require that the payment ultimately made for that cheque to a holder for value must be handed back would be so monstrous that such a practice could not be tolerated. I will give a further illustration of how unwise such a law would be. I dare say your Lordships have heard of a bank established in very recent times, and called the Cheque Bank. I do not know much of its details, but I have heard that it has proved a great convenience. Well, every cheque of that bank bears the printed crossing "and Co." The object of the cheques of this bank is that they should pass over a counter and from hand to hand like money, until they ultimately come back to the bank itself. Of course you would defeat that object if you were to enact that an infirmity in the title of any of the hands through which one of those cheques passed should prevent the ultimate holder from receiving payment of the money for which it was drawn. Take the case of a bank-note; what would become of the negotiability of a bank-note if it was enacted that an infirmity in the title of any holder was to prevent the ultimate holder from receiving payment? When any of your Lordships cross a cheque, generally, all you mean is that the cheque ought to be paid through some banker, in order that there may be some mode of tracing the hand which ultimately receives the money; but you do not wish to attach the property in the cheque to any particular person. It is, however, quite different if you cross the cheque with the name of a particular bank. The moment you do that you intimate by the crossing that the cheque must be regarded as the property of the person who has that particular bank, and not as an instrument which may pass from hand to hand. For these reasons I propose that Parliament should confine itself to enacting that no person taking a cheque crossed specially shall have or shall be able to give a better title to the cheque than the person from whom he took it had—that persons must take such cheques subject to any infirmity of title in previous holders. But I think it right that there should be a protection for the banker to whom a cheque is crossed specially. Accordingly, if, for instance, a cheque is crossed specially to the London and Westminster Bank and it receives payment of it for a customer, that bank shall not, in case the title to the cheque prove defective, incur any liability to the true owner by reason only of that act of the bank. Those are the two provisions of a Bill which, if adopted by Parliament, will be an addition to the existing law on the subject of crossed cheques.

Moved, "That the Bill be now read 2^a."—(*The Lord Chancellor*.)

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* the *9th of March* next.

ARMY—KNIGHTSBRIDGE BARRACKS.

QUESTION. OBSERVATIONS.

LORD SANDHURST inquired of the Under Secretary of State for War, On what grounds the decision of the late Government affecting the choice of a site for Barracks on account of the cavalry regiments now stationed at Knightsbridge has been reversed? The late Government had condemned these Barracks, and the Commission which in 1863 considered the question reported very strongly against them, not only on account of the bad condition of the buildings, but also on account of the site on which the Barracks were placed. He asked their Lordships to recollect the important bearing which the second ground of the adverse Report of the Commission had in respect of the decision which Her Majesty's present Advisers had reversed. The Commission condemned the site quite as forcibly as the bad condition of the buildings. He imagined that there were various matters which had engaged the attention of the noble Viscount (Viscount Cardwell) when he was considering the question. Independently of the site being considered unhealthy, everybody must know that Knightsbridge Barracks were unfit for Cavalry, owing to tactical reasons or arrangements required for the convenience of regimental administration. They were exceedingly narrow, and very long. On the other hand, he was informed that there was a strategical argument in favour of the site—namely, the great value which many persons attached to having a Cavalry regiment available in the immediate vicinity of an open space like Hyde Park in the event of any outbreak among the people. That argument did not recommend itself to him, but must be taken for what it was worth. He thought everybody should deplore the idea of ever seeing the Household Cavalry engaged in aiding the civil power. That was a contingency which should be avoided if possible. For obvious reasons it was the last body of troops in the Army which should be applied to such a purpose. It was said that the householders in Knightsbridge had no claim to have their property improved by the removal of the Barracks. Their Lordships must remember that almost all the public improvements in the various parts of the Metropolis had been brought about by private improvements in their several localities, and he did not think that it should be a reproach to the owners of property in Knightsbridge that they wished to see improvements effected in that neighbourhood. He believed it had been determined by the present Government to make a still further extension of the present long and slender slip of ground by taking some ground the property of a noble Duke. This would scarcely mend matters if, for the want of sufficient area, the Barracks would have to be built on a principle which sanitary considerations had condemned — namely, that of having the rooms for the soldiers over the stables for the horses. The rooms of the men ought to be in a building separated from the stables. The late Government had condemned the Barracks, but with the change of Ministers a change had come over the policy of the War Office, and it was now proposed to build the new Barracks on the old site. He should like to hear some Ministerial explanation of this action.

Earl CADOGAN said, that in his Question the noble and gallant Lord (Lord Sandhurst) assumed that the decision come to by the present Government was, in effect, a reversal of the decision of the late Government. He had searched through all the somewhat voluminous correspondence and other Papers on the subject which he could find during the last 10 or 11 years, and he had not been able to discover any record in the War Office of any decision on this subject having been come to by the late Government. Therefore, he could not agree with the noble and gallant Lord that the action of the Government in the present instance was a reversal of the decision of the late Government. He ought, however, in candour to state that, in all he wrote on the subject, the feeling of the noble Viscount the late Secretary for War (Viscount Cardwell) seemed to be that the Cavalry barracks were not destined to remain on the present site at Knightsbridge; and the noble Viscount left on record that it had been his intention to go into the question in the year 1874, had the Government of which he was a Member remained in office. Under the late Government, Mr. Lowe, when Chancellor of the Exchequer, proposed a scheme for the removal of the Barracks; but he understood that an important part of the plan of the right hon. Gentleman was to sell the ground on which the Barracks stood, and to apply the money received for it to the erection of new barracks on another site. He believed, also, that if the War Department had given up the Barracks the Woods and Forests would have stepped in and claimed the land. He thought, therefore, that all proposals based upon the sale of the site at present occupied by the Barracks must be abandoned. He thought it would be found, also, that no suitable site could be obtained elsewhere without considerable difficulty. The noble and gallant Lord asked the grounds on which the Secretary of State had arrived at his decision. He had arrived at it entirely on military grounds. It was not for him (Earl Cadogan) to enter into the military advantages of the site; but it had been recognized by the Duke of Wellington and other military commanders. He was sure the noble and gallant Lord would not allow his great authority to be made use of for private interests, but based his opposition to the decision of the Secretary for War on military grounds and the good of the soldier, in whom he took so deep an interest. He (Earl Cadogan) hardly liked to characterize the agitation which had been carried on in opposition to these Barracks, or the proceedings of the promoters of that agitation. One of the objections put forward was the unhealthy character of the Barracks. Now, last Session he had the honour to lay on the Table Reports which gave a very favourable account of the sanitary condition of the Barracks. Again, charges had been made against the conduct of the soldiers quartered in the Knightsbridge Barracks. He thought he might say that no more unfounded charges were ever made against any body of men. He was not afraid to say that it would be difficult to find an equal number of men filling any other position in this country whose character would stand examination better than that of the men of the Household Cavalry. Another ground of objection to the continuance of the Barracks at Knightsbridge was the number of public-houses in the neighbourhood. Last Session he was able to show that those public-houses were not frequented by the soldiers. Those who were anxious for the closing of some of them ought to apply to the licensing magistrates instead of agitating for the removal of these Barracks. Neither the Government nor the Legislature was responsible for the "bulling" and "bearing" of house property in the neighbourhood which had been caused by the proceedings of persons who might have been speculating on the removal of the Barracks. He was not aware of any general wish for the removal of the Barracks, nor did he see any prospect of the Government being able to obtain a site as little open to objection as that at Knightsbridge. He hoped, therefore, that their Lordships would approve the decision at which Her Majesty's Government had arrived after a full consideration of the subject.

VISCOUNT CARDWELL said, he had no fault to find with the statement of the noble Earl the Under Secretary for War that no decision had been arrived at by the late Government with respect to these Barracks; but lest he should convey a false impression if he left the noble Earl's statement where it stood, he thought he ought to amplify it by some further explanation. When, in 1868, the late Government succeeded to office, he found that the question of the Knightsbridge Barracks was not only being considered, but was giving rise to no little excitement. He thanked the noble Earl for having given him access to the official correspondence which was in the Office at the time to which he referred, and in that which passed in 1866, when General Peel was Secretary for War, he found these passages, after considering Report of Army Sanitary Committee—

> "Quartermaster General informed for His Royal Highness that it appears to the Secretary of State most desirable that no time should be lost in acquiring a new site. Under all the circumstances of the case, and the difficulties attendant thereon, it appears to the Secretary of State that the site at Millbank may be worthy of consideration, and he would be glad to be favoured with the further opinion of His Royal Highness
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> . . . "had under consideration, and in the absence of any better site which can be obtained within a reasonable distance His Royal Highness recommends that the ground now occupied by Millbank Penitentiary should be made available."

That was not a decision of the late Government, he admitted, and he did not wish to convey the impression that it was; but it showed what were the views of the War Office in 1866, and upon which it was acting at that time. He was not aware that there was any trace of his immediate predecessor having adopted the same view—he believed he did not adopt it—but when he (Viscount Cardwell) came into office it was his impression that the feeling of the community and the feeling of Parliament was in favour of the removal of the Barracks; and his right hon. Friend the Chancellor of the Exchequer at that time (Mr. Lowe) caused notices to be served in respect of property extending from Albert Gate to Knightsbridge Barracks. The idea was that the sum of money derived from the sale of the site would go materially towards the erection of new barracks at Millbank. The noble Earl opposite seemed to be under the impression that the site of Knightsbridge Barracks was not capable of being made of pecuniary advantage to the country if the Barracks were removed elsewhere. That was not his impression, nor had it been the view of his right hon. Friend, who had expected that it would realize a large sum. The notices, however, came to nothing, and he (Viscount Cardwell) therefore never had the opportunity of deciding conclusively upon what might have been a great improvement. He had never ventured to throw any doubt on the military opinion expressed by the Duke of Wellington, nor had he ever joined in the least imputation on the admirable soldiers quartered at Knightsbridge. The objection against the site which, to his mind, seemed to have great force was that it was not large enough to admit of the erection of the new Barracks, if they were to be built in accordance with modern requirements. Millbank was a site which had been very much considered by high authorities, and in both military and sanitary points it had been much commended, and anybody who only looked at the map could see the position it occupied between the Barracks at Chelsea and the Wellington Barracks, connected with both by a broad way, flanked on one side by the Thames, and commanding a ready access both to the Houses of Parliament and to Buckingham Palace. He did not, however, wish to say a word by way of military opinion. He took part in this conversation rather as a witness than as assuming to himself the right to speak as an authority on points of strategical opinion.

THE DUKE OF CAMBRIDGE said, he fully endorsed what had been said by the noble Earl and the noble Viscount, so far as his knowledge went; but he took issue with the noble and gallant Lord (Lord Sandhurst) who had brought this question under the notice of their Lordships. The noble and gallant Lord seemed to be under the impression that there were other sites which, on military grounds, were preferable to that at Knightsbridge; but the Duke of Wellington and other high authorities had expressed their opinion that no other site in this great Metropolis was so suitable for the purpose to which the site of the Barracks at Knightsbridge was applied. Considering the very limited number of the Household troops there could be no more convenient place than the Parks for exercise, while the site gave immediate access to the Park, and thence to every part of the Metropolis. The noble and gallant Lord expressed his hope that the troops at Knightsbridge might never be called on to assist the civil power. He (the Duke of Cambridge) also hoped sincerely that there never would be occasion for it; but they could not ignore the possibility of its arising. The noble and gallant Lord must know that, whenever the civil arm had been found insufficient to do what was required of it in ordinary times, it had been on those extraordinary occasions supplemented by military aid—but this on all such occasions must be most tenderly applied. He appealed to noble Lords on both sides of the House whether that had not been the case in this country; and he appealed to his noble Friend (Earl Spencer), who had lately filled the office of Lord Lieutenant of Ireland, whether in that country he had not called on the Commander-in-Chief to support the civil power with military aid, which had been afforded with ready alacrity, but which he had felt bound to apply with that tenderness and delicacy which should always characterize any assistance rendered by the military to the civil power. But the noble and gallant Lord said that in a sanitary point of view the site was unsuitable for Cavalry Barracks. He concurred with the noble and gallant Lord in wishing they had more space for the purpose; but when the noble and gallant Lord spoke of the necessity, in a sanitary point of view, of the men being separated from the horses, his reply was that he believed it would be found that the most healthy Cavalry Barracks in the country were those in which the rooms of the men were over the stables. During the time the noble Viscount presided over the War Department Cavalry Barracks were built partly on the one plan and partly on the other; and all the officers of Cavalry regiments which had had experience of both plans, including the medical officers, were of opinion that the men who slept over the stables enjoyed better health than those who slept in buildings away from the stables. If men were separated from the stables they would walk to and from stable duty without coats or jackets, and so contract colds. No doubt there was a certain miasma from stables; but by good shafts and good ventilation that could be got rid of. The conduct of the men had not been impeached in this debate, and therefore he need not say anything on that point. As to the injury to property in the neighbourhood, it must be remembered that it was not the Barracks which were going among those who had created the property there, but it was those persons who created property there who had come to the Barracks. It was speculative landlords who had taken property in Knightsbridge — and that was quite a different thing from bringing down Barracks upon the improving owners of property. But he did not see why, with a proper elevation, a Barracks at Knightsbridge might not be made a very agreeable-looking building. He quite admitted the document which had been quoted by the noble Viscount; but he had agreed with the matter stated in that document solely because he believed that at the time the question had reduced itself to that of the choice of another site. As to his ever having expressed any desire to remove the Barracks from the admirable position at Knightsbridge, he believed there was an abundance of documentary evidence to prove that he never had expressed such a desire.

THE EARL OF LUCAN said, that the Duke of Wellington used to say that the defence of London must be chiefly carried on from the Parks, which permitted the concentration of troops to any amount; and in this respect the Barracks at Knightsbridge possessed the same advantage. He concurred with the noble and gallant Lord (Lord Sandhurst) that it was a calamity for the military to have to aid the civil power; but the best way to prevent that calamity was to provide against it. The noble and gallant Lord was against providing for such a contingency.

LORD SANDHURST explained that his objection was to any particular body of troops being placed in the invidious position of being specially told off to assist the civil force in case of disturbance; this remark especially applying to the Household Brigade — the Royal Body Guard.

THE EARL OF LUCAN said, that the object of having the Barracks in that particular place was not that any particular troops should be employed for that purpose, but of having a large open space in which troops could be readily assembled in case of need. The late Government had considered the different advantages offered by other spaces in the Metropolis for that purpose, but had been convinced that the present site for the Barracks could not be improved upon. The movement against the Knightsbridge Barracks was no more than a cabal of builders, house-agents, and shopkeepers.

SCOTTISH TEINDS.

QUESTION. OBSERVATIONS. RETURNS. LEGISLATION.

THE EARL OF MINTO asked Her Majesty's Government, Whether certain Returns moved for last Session relating to Scotch Teinds (Tithes) have been completed, and will be soon distributed to Peers; also, whether it is the intention of Her Majesty's Government to introduce a measure to place the Law of Teinds on a reasonable and an equitable basis? The very fact that he was obliged to ask his first Question was strong evidence that the Office of Teinds in Edinburgh, no less than the whole of the antiquated and unjust procedure and law connected with teinds, stood urgently in need of thorough reform. Early last Session, in the month of April, certain Returns calculated to throw considerable light on the defects of the present system were ordered by the House; and that now, 10 months later, he was unable to learn whether they had been completed, or even commenced. Unless there was good reason for such extraordinary delay, he thought an immediate inquiry ought to be instituted into the condition of the Office, to ascertain whether it must be attributed to the negligence and incompetency of the officers at the head of it. His second Question required no explanation.

THE DUKE OF RICHMOND AND GORDON, in answer to the last Question, said, that in view of the various Bills Her Majesty's Government had in hand, and intended to introduce before Parliament, he could not give the noble Earl any assurance of being able to deal with the Question to which he had referred during the present Session. With regard to the noble Lord's first Question, he had correctly stated that on a Motion made by him in the early part of last Session, an Order was made for certain Returns relating to Scotch Teinds, which Returns certainly ought to have been prepared and laid upon the Table long before this time. He could not account for the delay, but would promise to take immediate steps to ascertain why the Returns had not been prepared, and would, so far as was in his power, insist upon their being laid on the Table forthwith.

House adjourned at half past Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 29th February, 1876.

MINUTES.]—Public Bills—*Second Reading*—Valuation of Property (Metropolis) Act (1869) Amendment [74] [House counted out].

Select Committee—Epping Forest * [66], *nominated.*

Committee—*Report*—County Palatine of Lancaster (Clerk of the Peace [53].

Withdrawn — Borough Franchise (Ireland) * [17].

METROPOLITAN RAILWAY BILL.

NOTICE.

Sir EDWARD WATKIN: Sir, I beg to give Notice that on Monday next I will ask the noble Lord the Member for King's Lynn (Lord Claud John Hamilton), whether he is a Director and Deputy Chairman of the Great Eastern Railway Company; whether the Company was concerned or interested in preventing the second reading of the Bill promoted by the Metropolitan Railway Company for the extension of the line from Aldgate to Whitechapel, and from Hammersmith to Walham Green and Fulham; whether, under the circumstances, he issued to large numbers of Members of this House private circulars asking them to attend the House, and to support the Motion for rejection of the second reading of the Bill; whether in this circular the name of a Member of this House was mentioned as the Mover of the second reading; and whether the names of the Members at the back of the Bill were also given? Should the noble Lord reply in the affirmative, I shall ask the highest authority in this House the following Question:—Whether the practice of rejecting Private Bills on the second reading, by a majority in this House, through the private solicitation of Members, will or will not tend to restore the evils which this House proposed to redress when it abolished Committees of the Whole House and established Select Committees; and further, whether a Deputy Chairman of a Railway Company interested in the question is acting in accordance with the spirit of the Rules and Orders 435, 436, and 437, by privately soliciting Members to refuse a hearing for petitioners for a Private Bill?

Mr. SPEAKER: I must put it to the hon. Member that the Question proposed to be put to the noble Lord goes far beyond the limits of a Question, and should it be submitted to the House, it should assume the form of a substantive Motion.

Sir EDWARD WATKIN: Of course, Sir, I bow to your decision; but I beg to give Notice that on Thursday next I shall repeat the Question in another form.

THE SUEZ CANAL SHARES — COMMISSIONS.—QUESTION.

Mr. WILSON asked Mr. Chancellor of the Exchequer Whether he can inform the House whether the Khedive of Egypt paid a commission to agents in Egypt on the sale of the Canal shares to the English Government; and, if so, the amount of the commission?

The CHANCELLOR of the EXCHEQUER, in reply, said, he had no information on that subject; but he would be exceedingly surprised if anything of the kind stated in the Question had occurred.

THE CHANNEL ISLANDS — ROYAL COURT OF JERSEY.—QUESTIONS.

Mr. LOCKE asked the Secretary of State for the Home Department, Whether the Government intend to give their sanction to the Election of any more Jurats of the Royal Court of Jersey?

Mr. ASSHETON CROSS, in reply, said, he had been in communication with the Lieutenant Governor of Jersey, but had not received a final answer from him. As far, however, as he understood the matter, the Jurats were elected for life by the ratepayers of the island, and the Secretary of State, therefore, had nothing to do with their appointment.

MR. LOCKE asked the Secretary of State for the Home Department, Whether the Government intend to fill up the appointment of Viscount of the Royal Court of Jersey?

MR. ASSHETON CROSS, in reply, said, he believed that the Government were bound to fill up the appointment of Viscount of the Royal Court of Jersey. The delay in doing so had arisen because the office had hitherto been generally performed by deputy; and he was endeavouring to see that the person to be appointed should be one who would do the duty, and not leave it to a deputy.

MR. LOCKE asked the Secretary of State for the Home Department, Whether the officers of the Royal Court of Jersey are not all paid by fees, and consequently have a direct interest in cases being postponed from time to time?

MR. ASSHETON CROSS, in reply, said, he could only refer the hon. Member to the Report of the Commission which sat on that subject, from which he found that the Procurator General's salary was £100 annually, besides official fees, which might amount to much more. The Secretary and another officer had smaller salaries. Neither of those persons received any fees for conducting criminal cases; but each of them might act for private parties in civil cases.

PUBLIC-HOUSES (IRELAND)—LEGISLATION.—QUESTION.

MR. SULLIVAN asked the Chief Secretary for Ireland, If it be true, as reported in the Irish newspapers, that the police force has been employed in Dublin, Belfast, Cork, Derry, and other places, counting the number of people who went into the public houses in those cities and towns on certain Sundays; and, if so, whether this course has been adopted with a view to any legislation this Session, by Her Majesty's Government, on the subject of the sale of intoxicating liquors on Sundays in Ireland?

SIR MICHAEL HICKS-BEACH, in reply, said, he had thought it would be an important addition to the information on that subject already in possession of the Government if they were aware, as far as it could be accurately ascertained, how far any shortening of the hours during which public-houses were open on Sunday or the total closing of public-houses on that day would interfere with the convenience of the public in Ireland, and therefore he had directed that information should be obtained by the police in certain towns in Ireland as to the number of persons who were in the habit of frequenting public-houses in those towns on Sunday. He had no doubt this information was obtained in the way mentioned by the hon. Member. It was not obtained with a view to legislation by the Government this Session, but that the Government might have before it all possible information in considering the proposals on that matter which had been introduced by the hon. Member for the county of Londonderry (Mr. R. Smyth).

PRIMARY EDUCATION (IRELAND)—LEGISLATION.—QUESTION.

DR. WARD asked the Chief Secretary for Ireland, Whether Her Majesty's Government intend this Session giving effect to the following recommendations of the Commissioners on Primary Education in Ireland issued in 1870, viz.:—

> "That the existing Provincial Model Schools should be gradually discontinued."
>
> "That all existing Provincial Model Schools which cannot be carried on by Local Committees as Elementary Schools on the present system, receiving only such sums as may be earned by their scholars or may be due to teachers, may be granted on lease to any body applying for them as Training Schools on easy terms, such as will provide for their maintenance and repair?"

SIR MICHAEL HICKS-BEACH, in reply, said, he had no intention of making any proposal this Session.

DR. WARD gave Notice that he would on an early day call attention to the subject and move a Resolution.

LOCAL FINANCE.—QUESTION.

MR. PAGET asked Mr. Chancellor of the Exchequer, If he is prepared to present to the House, during the present Session, any Annual Statement of Local Finance; and, if so, when he proposes to do so?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he had been in communication with the President of the Local Government Board, but he was not at present able to say in what form it would be most convenient that the statement should be made. He hoped, however, that it would be made before the Budget.

MERCHANT SHIPPING ACTS—OVERLOADING.—QUESTION.

Mr. ANDERSON asked the President of the Board of Trade, If he has any objection to extend the Return granted to the honourable Member for Sheffield, on the 24th February, by including in it all vessels detained for alleged overloading, and specifying the cases where they were lightened, and in all cases, whether of unseaworthiness or overloading, stating the name of the surveyor at whose instance the vessel was detained?

Sir CHARLES ADDERLEY: There is no objection to the hon. Member moving for the addition to the Return; but there would be an objection to the surveyor's name being published, as no good, but only mischief to the public service could ensue from such publication.

LOCAL TAXATION.—QUESTIONS.

Mr. PELL asked, Whether it is the intention of the Government to introduce the measure as to local burdens which was promised in the Speech from the Throne?

Mr. ASSHETON CROSS, in reply, said, that it was the intention of the Government to introduce the measure relating to prisons which was promised in the Queen's Speech, and he hoped that it would be introduced about the time that the Budget was brought forward.

Mr. BEACH asked the hon. Member, Whether he would not think it advisable to postpone his Motion as to Local Taxation, in view of the statement just made, until after the Government had had an opportunity of announcing their intentions upon the subject?

Mr. PELL said, that in consequence of the announcement just made, he believed that he should consult the wishes of those who had usually acted with him upon this question by postponing the Motion of which he had given Notice until after they had heard the statement of the Government.

The Chancellor of the Exchequer

CIVIL BILL COURTS (IRELAND) BILL.

QUESTION.

In reply to Mr. M'Carthy Downing,

The SOLICITOR GENERAL for IRELAND (Mr. Plunket) said, the second reading of the Civil Bill Courts (Ireland) Bill would not be taken until the 23rd of March, as that day he believed would suit the convenience of Irish Members on both sides of the House; but he hoped there would be no objection to proceeding with the subsequent stages of the Bill as soon as possible, so that by Easter they might have made some substantial progress in Committee.

PUBLIC BUSINESS—ASH WEDNESDAY.

Mr. DISRAELI moved, "That this House do meet To-morrow at Two of the clock."

Mr. P. A. TAYLOR said, he ventured very respectfully to express a hope that the Motion would not be pressed. Wednesday was always a very short business day, and was much more convenient than the days when the House sat till a late hour; and to-morrow a very important Irish Bill, in which he was sure the Government would take much interest, was on the Paper. He would not interfere between the Government and the Order of Business, were it not that he thought that the First Lord of the Treasury felt himself compelled by long-established custom and his love of precedents to make the Motion; but really there would be no person better pleased than himself if independent Members would support him, and show that there was no necessity for wasting two hours on Wednesday. It was time that they left off coming down with solemn faces and virtuous airs to cut off two hours from business on a Wednesday afternoon, while they knew very well that hon. Members could not speak on the subject to each other in the Lobby without putting on the attitude that was assumed by Roman Augurs towards the decline of the Roman Empire. If they were right in keeping from work for two hours, it was clearly wrong for them to meet at all, and therefore he thought that if there was to be any interruption at all they should get a whole holiday.

THE MARQUESS OF HARTINGTON said, he hoped before this Motion was put that they might be informed what was the intention of the Government with regard to the Business on Thursday. He understood that the Army Estimates would be the First Order on that day; but, as he saw that the Commons Bill stood first upon the Orders at present, he wished to ask whether it was intended to proceed with the Committee upon the Bill on that day? As the debate upon the second reading was taken at rather a late hour at night, and there was not then a very full discussion, as he understood that there were a very considerable number of Amendments to be moved in Committee, and as the matter was looked upon with great interest both in Parliament and in the country, he hoped that the Committee would be taken at a time when the subject could be fully discussed. He also wished to know when the second reading of the Royal Titles Bill would be taken?

MR. BUTT said, his hon. and learned Friend the Solicitor General for Ireland had already postponed the second reading of an important Irish Bill to the 23rd. Between this and the 23rd of March many Irish Members would be obliged to be absent, and what he wished to ask was that the right hon. Gentleman at the head of the Government would not allow any Irish business to be taken for the next fortnight or three weeks. [*Laughter.*] He could not understand the laughter of hon. Members opposite, who might think it unreasonable if Irish Members asked them to come over to Ireland during the English Assizes, and who never seemed to consider any Irish subject except in the light of a bore.

MR. DISRAELI: The Army Estimates will come on on Thursday, and I thought it was clearly understood by the House that such had been decided upon. In case the Estimates occupied the whole evening, we should not ordinarily think of going on with the Commons Inclosure Bill. However, we feel there has not been sufficient time for the House to put down Amendments, and therefore we will not proceed on Thursday with it. With regard to the Royal Titles Bill, I propose to take that on Thursday week. As to the appeal just made to me by the hon. and learned Member, of course it would be very agreeable to me to meet his wishes and prevent the prosecution of any Irish business at this moment; but I do not think my duty to the country would justify that course. I should always be happy to meet the convenience of individual Members; but, at the same time, we must proceed with Business according to the regular routine. I hope we shall have the pleasure of the presence of the hon. and learned Member and his Friends when the Irish Votes are before the House, and I shall be sorry if we have not. In regard to the observations of the hon. Member for Leicester (Mr. P. A. Taylor), what he says as to the decline of the Roman Empire does not agree with my memory. I thought the Augurs who made the observation lived before the commencement of the Roman Empire. Cicero was one of those Augurs. I assure the hon. Member for Leicester that he only does me justice when he thinks it is gratifying to me to respect and reverence old-established customs. I cannot agree with him in this instance, that in reducing the hours of our attendance here to-morrow, we should be acting logically in not coming at all. The reason why we do not meet to-morrow till 2 o'clock is in order that we should attend Divine service; and after having fulfilled that solemn duty, there is no reason at all why we should not give our renovated energies to the transaction of Public Business.

MR. W. E. FORSTER asked the Secretary to the Treasury, what Business would be taken on Thursday next after the Army Estimates?

MR. W. H. SMITH said, that if time permitted the Civil Service Estimates would be taken after the Army Estimates.

Motion *agreed to.*

MR. P. A. TAYLOR said, that several hon. Members near him challenged the Motion when it was put in the usual way.

MR. SPEAKER said, that no negative voice reached his ears.

UNREFORMED MUNICIPAL CORPORATIONS (ENGLAND AND WALES).

RESOLUTION.

SIR CHARLES W. DILKE—Mr. Speaker: The 29th of February is a day on which it has not been given to everyone to bring forward a Motion in the House of Commons; but I can assure the House that the day fixed for the discussion of this Motion is not odder than many of the topics of which it will be necessary for me to treat.

It will be remembered that last year I called attention to the subject of unreformed municipal corporations with special reference to the cases of New Romney, Queenborough, and New Woodstock. This year it is my intention to refer in illustration of my general arguments to one other unreformed corporation of Kent, and to those of Sussex, the Isle of Wight, Dorsetshire, Devonshire, and Cornwall. I gave nearly three weeks' notice to those Members of the House who represent the counties in which the boroughs which I have to name in a hostile manner are situated, except in two cases, and in those cases one week's notice. If I do not escape alive from the House to-day it is to the Members from Cornwall that my destruction most probably will be due.

I moved last year for Papers which were granted, and obtained from Government a list of the whole of the unreformed corporations of England and Wales. I told the House last year that the letters which I had received, and the inquiries which I had made led me to believe that there were 97 or 98 of them in existence. The Return makes them 102 in number, but three or four of them are now extinct, and the town of Newport, in the Isle of Wight, is, I believe, wrongly included, it being a reformed municipal corporation, so that the number 97 or 98 stands correct. Since the publication of the Return I have made special inquiry into the condition of such of these corporations as lie south of London—not that I believe that the southern boroughs are the worst, but because they are the most easily reached. When I say that they are probably not the worst I must tell the House that I have received a vast number of letters from the respectable inhabitants of a great many of these towns, and that it is a singular fact that in every one of these letters the inhabitant who writes it informs me that the unreformed corporation of his particular borough is undoubtedly the least efficient and the most corrupt of all. The fact is that each writer knows only the case of his own town, and, knowing how bad that is, cannot conceive that there can be any worse. I do not deal to-day with the southern boroughs in any belief that in a monetary sense they are the most important, for the property wasted in the unreformed boroughs of the East Coast, and by some of those in the North is far more considerable than that which the southern boroughs have to waste. Wasted it is, in almost every case without exception, so far as I have yet gone: muddled away in some cases; in some cases stolen; but made effective use of in hardly one.

When I spoke last year I pointed out that in all these boroughs we have the same general features. A very small number of persons, self-elected, let the town lands to themselves at ridiculously low rents, and spend the town property without account. In most of them, those persons or their nominees exercise criminal jurisdiction over persons who have nothing whatever to do with their election, and it will be observed that in the Notice that I have given I have attached peculiar importance to this matter of jurisdiction.

Before I pass to the new cases with which I shall deal to-day, I wish to make a short reference to last year's debate. The only answer which was given to my charges in the House was that of my noble Friend who sits for Woodstock. The noble Lord said that the property of the corporation of Woodstock was not public property at all. I would ask, in reply, not as to Woodstock only, but as to any of these corporations, if their property is not public property what in the world then is it? I should doubt whether any man would venture to assert that it is purely the private property of those individuals who happen at any particular moment to be the members of the corporation. Certainly, Parliament in 1835, when it took away all the property of all the corporations named in the Municipal Reform Act, did not pay compensation to individuals or treat that property as property of a private nature. I have, before I pass on, one other remark to make upon the last year's speech of the noble Lord. When I quoted the memorable words of the mayor of Woodstock, uttered on the solemn occasion when he was fined for repeated breaches of the Licensing Act—namely—"That in the past he had always had a high respect for the police, but in future he should have none;" the noble Lord, making perhaps the cleverest, and certainly the most audacious reply ever made to such a statement, said, that the words the mayor had really used were these—"That he had always in the past had a high respect for the police, but in future he should have more." I have but one comment to make on that defence, and it is this—The mayor was again fined for a fresh breach of the Licensing Act on the very day on which he was thus defended by my noble Friend. The noble Lord was aware of that fact at the time at which he spoke, but unfortunately I was not, and he knew that I was not.

When I said that no other answer was made last year to the charges which I brought forward, I forgot an answer in the Kentish papers by the town clerk of the corporation of New Romney. His long rambling statement was replied to at the time, and the correspondence revealing no new points was not of interest, except as showing the singular partial blindness which affects unreformed corporate authorities. The town clerk said, that neither he nor the mayor had ever seen any scurrilous hand-bills directed against the corporation. I replied to this in the best way I could by posting to both of them copies of the worst.

Since last year's Motion the inhabitants of New Romney have broken out into poetry:—thus we find—

> " . . . out of a thousand a-year
> They pocket eight hundred, it is very clear."

Mr. Stringer's reply to me is thus touched—

> "The town is well-drained, says their legal wit!
> Of its own rights, it is, for they crib every bit."

In dealing with the corporations of the South of England I shall name 16 which I have examined with equal care to that which I gave to the three into which I went last year. I shall incidentally allude to five others that are in the list, and shall thus have dealt when I sit down with 21, and 3, or 24 in all out of the 102, leaving 78 that I shall not have mentioned. Judging from the letters which I have received, I have no doubt that the 78 are just as bad as the 24 whose cases I have happened to investigate.

Going across England from east to west I have to name in Kent, in addition to Queenborough and New Romney, the corporate borough of Fordwich. A gentleman who had been mayor of this interesting place for many years had informed a friend of mine that his venerable corporation was "a positive nuisance, and ought to be got rid of without delay." But, on local inquiry, I have come to the conclusion that it was not so very bad a one when compared with many of the others. The rector of Fordwich has since written to me that he believes it to be "the worst corporation that exists on the face of the earth." I name this only to show that those which I think white, by comparison with the really black, are not so considered by the inhabitants who have less experience than I have now acquired of the depths to which municipal corporations may descend.

These are the facts about Fordwich. The charter, which is lost, was granted by Edward the Confessor, and renewed by Henry II. The corporation consists of six persons, only one of whom is resident. Any friend of the six by paying £10 may become a seventh, and *ex officio* a justice of the peace. These persons hold sessions at which they try criminal offences, and they licence public-houses. No accounts are published, but they have lands, tolls, and a trading tax. These six self-elected persons also levy a rate. They have sold land, and the way in which the proceeds were disposed of is unknown. The rector writes, that—"During the 24 years that I have lived in the parish I have never known the corporation expend a single shilling for anything of material benefit to the borough." The official meetings are held at a public-house, "where rowdies collect and drink at the expense of the corporation." The present mayor has been mayor for 28 years, and a previous mayor ruled for 44. The latter was the person who, may I say, stole the property. The present mayor is mayor by force, for the *Côutumier* directs that "if a man refuse to serve, the freemen shall go to his house—if he have one—and the same by hooks, or any other means, shall pull to the ground."

In Sussex, I have to mention Pevensey and Seaford. Both these towns have special privileges as Cinque Ports, and it may be said "the Cinque Ports are venerable institutions which ought not to be touched." These privileges of the Cinque Ports thus enjoyed by Pevensey and Seaford were not granted by the Crown without consideration. The ports were bound to supply ships and men, and this supply in return for special trade advantages was the only system of naval defence existing in England in the early middle ages. The Cinque Ports now claim to keep their privileges although the consideration for which they were granted is altogether gone. Pevensey and Seaford, like New Romney, although Cinque Ports are not now ports at all. Just as the sea retired from New Romney and from Winchelsea, so the sea has retired from Pevensey, and the river Ouse from Seaford, and the harbours of both are bowling-greens.

Pevensey returned itself in 1835 as having an income of £85 per annum for corporate purposes, although the village possesses only one house that is rated at £16 per annum. It is a tiny place of one street, with a butcher, a grocer, a parson, a Dissenting minister, and two publicans. The county magistrates have no jurisdiction within the liberty, and a grand jury is summoned to make presentments. They sometimes present that they have nothing to present; they sometimes present that the parish pump is out of repair; but whatever they present, as usual, in these cases, they end their arduous duties by a feast. The corporation licences public-houses. The election takes place in the church, as at New Romney. The corporation possesses a large amount of enclosed land in Pevensey Marsh, and its income ought to be a great deal above the £85 a-year at which it was returned in 1835; but the corporation, in addition to its revenue from lands, raises a "liberty rate." It makes no statement to the inhabitants of the purposes for which this rate is required, and it, of course, publishes no accounts. In 1835, the corporation used to spend a large proportion of the revenues on dinners to members of the corporation, and I believe that they still dine together frequently at the public expense. One of their payments in 1835 was an annual one to the Hastings corporation to which I invite the attention of my hon. Friends the Members for Hastings. Pevensey was what was called a limb of the Cinque Port of Hastings, and this payment is the Pevensey share of the wages of the Members of Parliament for Hastings for which I would recommend my hon. Friends to sue the corporation of their town. In addition to all their revenue from land, and from the liberty rate, the corporation are trustees for a charity worth £100 a-year at least—the ancient hospital of St. John Goroglton.

Seaford is returned as possessing a property of only £60 a-year, but it must be remembered that in all these cases the properties are valued greatly below the mark, and sometimes enormously below the mark, the lands being exclusively let to members of the corporation. As to a considerable portion of the corporation lands of Seaford, the corporation, induced by the bribery of a majority of their members, gave a lease to the late Dr. Tyler Smith, one of themselves, for 300 years, or, some say, for 199 years in consideration of the sum of £500. The inhabitants believe that the corporators divided that sum of £500 among themselves. I have in confirmation of that statement, which, of course, I cannot prove, there being no accounts, a written declaration from one of the freemen, whose name I am willing to give privately to the Attorney General, and a verbal declaration from another, that the £500 was thus appropriated; but another authority has informed me that part of the money was spent upon law costs in an action, and that it was only what remained which was "shared out" among the members of the corporation. This last authority, a very good one, thus goes on, "all surplus is shared out at the end of every year; the neighbourhood regards the corporation as a sharing-out club, and despises them as such." The balance is now, being smaller, put in a big dish on the table on bailiffs' day, at Michaelmas, and the host is ordered to supply liquor to that amount. It seems to me that many of these corporations ought to come under last year's Act as "dividing benefit societies." The corporation of Seaford have lately saved £20 a-year by withdrawing their subscription to the National schools. It appears that the present vicar of Seaford is a High Churchman, and the views of the corporation being Evangelical, they have quarrelled with the vicar, and put the money in their pockets. The original charter of the town gave all the inhabitants a voice in the corporate elections. I need hardly say that here as elsewhere in these boroughs "commonalty" has been defined by the corporation to mean only their own nominees, and the lodging-house keepers who, from the growing favour of Seaford as a place of summer resort, have begun to be numerous in the town, are entirely excluded from any voice in the government of a place, the prosperity of which, if it is ever again to be prosperous, they must make. This corrupt corporation, like that of Pevensey, licences the public-houses, though the chief brewer is one of the members, and here is a side of this unreformed corporation question which touches the Home Office, and into which inquiry should be made. The corporation has criminal jurisdiction—one of the magistrate members has been three times bankrupt under doubtful circumstances, and has also been fined by his own colleagues for breaking a man's head in the street. I have a solemn written declaration by a well-known gentleman of high standing that he has known judgment delivered by a magistrate drunk and a colleague interested in the case, and that he has known a prosecution "squared" in Court for a quart of ale. The chamberlains who collect the revenues, and keep those accounts which are never shown, are with singular irony rewarded for their services by the rent of Hangman's Acre. But of them one is yearly elected hangman to the corporation! Just as the corporators of New Romney sit round a tomb to elect their mayor, and, locking the gate of the church to keep the people out, declare themselves a public meeting of the inhabitants, so the freemen of Seaford on Michaelmas Day of each year march in a body to an ancient gate-post, near West House, and there elect their bailiff. Freemen only, because while the word "commonalty" is always taken to mean inhabitants generally when privileges are pleaded, when an election is held it is interpreted with, as I think, illegal strictness. This is the present state of a borough for which Pitt was Member.

Coming to the Isle of Wight we find the corporation of Newport, included as I have said in the list by mistake, and in addition those of Yarmouth and of Brading.

At Brading, the Town-hall and the stocks are the only outward and visible signs of the existence of the corporation. A Town-hall, only 8 feet by 10. The corporation of Brading performs no duties whatever; its officers are elected at a private meeting, and it differs from all other corporations that I know in being forced to admit that it cannot find its charter. The members of the court leet of 13 jurymen are cautioned at their annual meeting that they must not disclose anything that takes place, but the small tradesmen who are summoned are most compliant, for they do not like to lose the annual dinner which the corporation gives. The corporation returned their income in 1835 at the ridiculous figure of £6 17*s*. 11*d*. Though knowing but few out of the many sources of their income, I can prove that it is above ten times that sum. There are taxes upon commencing trade, and fee farm-rents from all the lands, and nearly all the buildings in the borough. I said just now that the corporation of Brading did nothing whatever with their money; I am wrong, for they have lately put up nine oil lamps to light the town.

At Yarmouth, a very large property seems to mysteriously disappear. The accounts, which were reported by the Commissioners in 1835 as not having been published or audited, do not seem any better kept at the present time. The property of Yarmouth, which is given in my Return as only £30 a-year, amounts to £180 a-year from one source alone to my personal knowledge. The quayage dues are not only large, but fast increasing. The corporation do, for the money which they receive, absolutely nothing except, once a-year, hoist a glove on a flag-staff to protect their charter rights. This they do at fair time, but the fair is now extinct. So little public spirit has the corporation that it insisted on a payment being made by the revising barrister for sitting in the Town-hall to revise the county list, which has led him to hold his sittings at an hotel. The right of the corporation to levy quayage dues at all was contested in a law-suit some years ago. This suit was ended by the corporation, in a highly diplomatic manner, electing Mr. Blake and Mr. Bagges, their opponents, to seats upon the Board, and Mr. Blake is now mayor. In 1858, the corporation having a preponderating influence in a company called the Yar

Bridge Company, smuggled a clause into an Act obtained by that company which confirmed the right of the corporation to levy these disputed dues. The corporation of Yarmouth has not only large property at the present time, but also great expectations, for the Yar Bridge property will revert to the corporation after the debt has been paid off, and an inquiry before the Inclosure Commissioners in 1862, arising out of a dispute about the Common, proved that the revenues of Yarmouth, which had been returned by the corporation as being only £30 a-year in 1835, were then £200 a-year, and the quayage dues have greatly increased since that date. My strong impression is that it would be found by a searching local inquiry that almost the whole of these corporations made false Returns to Parliament in 1835.

I come, now, to the Dorsetshire corporations—Wareham and Corfe Castle.

Wareham was returned in 1835 as "having £40 a-year of corporate property received by the mayor without account." Most of this was spent upon an annual dinner. The feast continues, and, according to the account of a friend of mine who was staying at the inn on one occasion when it took place, "rages from 3 in the afternoon till 11 at night." The corporation of Wareham licences the public-houses, and the county magistrates having, as I am about to show, failed in the case of Corfe Castle in the legal steps which they took to contest the jurisdiction of the corporate authorities, these licensing powers are still exercised without control. Three brewers are members of the very small corporation, and, I will not venture to say in consequence, there are 20 public-houses in the very tiny town of Wareham. The average number of public-houses to population in small towns of the West of England is 1 to 1,000 inhabitants—in Wareham the proportion is 7 to 1,000.

Corfe Castle is the most peculiar of all the unreformed boroughs that I have met with. It may be said to be a corporation with only one member. There are, so far as I can tell, no revenues, but there are large charities and considerable jurisdiction. The magistrates of the borough with the ordinary powers, and with licensing powers, would be the mayor, and the ex-mayor, if there were an ex-mayor, but there is no ex-mayor. There ought to be two barons at least to swear in the mayor, and there ought to be eight barons in all, but no one can be discovered who ever heard of a baron in the village of Corfe Castle. In cases which require two magistrates, Mr. John Johnson, grocer and draper, who for many years past has been mayor of Corfe Castle, is willing enough to act as one magistrate, but there being no ex-mayor, the policeman complains that he has sometimes to travel 30 miles before he can find a county magistrate who will come in and sit with Mr. Johnson, grocer and draper. Corfe Castle had, with New Romney, in 1835, the proud distinction of having refused all information whatever to the Royal Commissioners and to Parliament. The lord of the manor is known to have very large chartered privileges, and he possesses by Royal Charter the dignified and belligerent title of Lord High Admiral of the Isle of Purbeck and the adjacent seas. I have heard, with what truth I know not, that he is an inoffensive clergyman. He is also Lord Lieutenant of the Isle of Purbeck, with power to call out the whole population in "mustration," that is, for military service. The inhabitants of Corfe Castle have all the privileges of inhabitants of the Cinque Ports, and the shores of the Isle of Purbeck are exempt by charter from Admiralty jurisdiction. The mayor hides his charter and refuses all information, but there being no barons it would seem that he must elect himself. As he exercises much licensing and other jurisdiction, he must, I suppose, hold frequent meetings with himself, but I am not aware as to whether he keeps minutes of what passes.

In *The Times* of the 5th June, 1875, there was a very singular legal proceeding reported at great length. It was an application by my hon. and learned Friend the Member for Penrhyn on behalf of the justices of Dorsetshire for a *quo warranto* against the mayor of Corfe Castle, calling on him to show by what authority he assumed to grant licences to ale-houses. The mayor, with his customary good sense, again said nothing, and, as in 1835, his predecessor had had the wisdom to say nothing, no one knew the facts. Mr. Justice Blackburn said, that there he was, that he was exercising this jurisdiction, and that the presumption consequently was that he had a right to exercise it, and that the other side must show good ground for believing that the mayor had no authority to act. The Lord Chief Justice said—"Can you ask us to assume that he acts without a lawful commission." Mr. Justice Mellor said—"Must we not assume that he has a title to act, until some reason is shown to doubt it, otherwise any man's title may be questioned." My hon. Friend, at his wit's end, then got a man to make an affidavit that there was no separate commission of the peace for the borough of Corfe Castle. "But," interposed Mr. Justice Blackburn, "he gives us no ground for so swearing." The result was that the *quo warranto* was unanimously refused by four Judges. I was reminded of a curious event which occurred in India last year, when a Fakir, near Oudipore, uncrowned and untitled, became virtually a king, being invested by himself with authority over a large district. When troops were sent against him by the Oudipore durbar, he said that this was most unfair, inasmuch as there he was, and that it was the business of the Oudipore authorities to show that he was not acting rightfully in the authority that he had assumed.

After my Motion of last year, one of the comic papers had six cuts of "our unreformed corporation from our provincial correspondent." The first was of "our grocer;" the second was of "our mayor;" the third was of "the gentlemen who elect our mayor;" the fourth of "the gentleman who disposes of our public trusts;" the fifth of "the gentleman who benefits by our public trusts;" the sixth of "the Committee appointed annually to look into the accounts of the gentleman who disposes of our public trusts." Each of the six cuts contained one figure. All six were one person in different costumes, from the apron of our grocer, to the velvet robes and gold chain of our mayor, and to prevent any doubts as to identity the distinguished inhabitant was in each cut represented with a large wart on his nose. Last year I thought this a somewhat exaggerated joke, and even the experience of New Romney had not prepared me for its being literally true of the borough of Corfe Castle. A matter which has been perplexing me is what happens when a mayor of Corfe Castle dies. We all of us know the difficulties which occur in Chinese Tartary when a grand Llama ceases to exist. It is found necessary to conceal the fact of the death, and to bring forth from the seclusion of the palace some youth who has been captured for the purpose when a child. I fancy that this must be the system adopted at Corfe Castle in the case of the dynasty of Johnson.

The first of the two Devonshire corporations that I have to mention is that of Okehampton. This is a very important town, incorporated under a charter which, although dated so late as the end of the reign of Charles II., nevertheless, following probably the words of an earlier charter, gives the corporation a jurisdiction which it still holds "concerning all, and all manner of felonies, witchcrafts, incantations, sorceries, magic arts, forestallings, regratings, ingrossings, and extortions whatsoever." The market tolls alone, which belong to the corporation, are let for £300 a-year. But the rest of the property of the town, worth not less than £30,000, has, in consequence of a quarrel in the corporation, been lately handed over to trustees. The corporation still perform large magisterial duties. The "capital burgesses" are nearly all tradesmen, and nearly all related to one another. In 1873, the corporation brought in a private Bill which failed to pass this House. Their town clerk ran them up a bill of £700 for the legal portion of the business, and the market tolls for 1874 and 1875 have been swallowed up by this outlay. No man can say what it will please the unreformed corporation of Okehampton to do in future with this £300 a-year.

Close to the borders of Cornwall is the Devonshire corporation of Plympton Earle. In 1835 no accounts of its revenue were produced, and I had been told by persons living in the locality that the charter had been dropped, and that the corporation was extinct. If it had been so, I should have asked, as I am going to ask in some of the Cornish cases, what then has become of the property? But it is not so. The corporation is not extinct; the charter is not surrendered. A sort of tontine has been formed of the money, and the corporation is in a state of suspended animation. It can revive if it pleases. There is no mayor; there is no bailiff; there are no town-sergeants; the Guildhall is let; no new freemen are created, and when the "capital burgesses" are reduced to one, I suppose that he may claim that all the remaining assets of the corporation are his property. Sir Joshua Reynolds was once mayor of Plympton Earle, and not being able on one occasion to attend the corporation dinner, he sent down his portrait painted by himself to be put in his vacant place. It was afterwards hung in the Town Hall, but after a long period had elapsed the representatives of the aldermen claimed that the portrait had not been given to the corporation, but to the aldermen as private individuals. They sold it, and it is now in the possession of Lord Egremont at Silverton Park.

I turn now to the Cornish boroughs, and first to the town of Saltash, near Plymouth. In 1835, the town of Saltash informed the Commissioners that its corporate property was about £400 a-year, but "could not be accurately ascertained." I will put the matter thus; the Saltash corporation had £400 a-year by their own computation, and a great deal more by the computation of all other persons. I am sorry to say that in 1835 the Commissioners reported that the revenues were misapplied, and that the mayor appropriated the surplus to himself. I fear that England is the only country in which ancient abuses are so tenderly dealt with, that such a report to the Legislature should not be followed by any action. The borough of Saltash bears the arms of Richard king of the Romans on its seal, of which, however, the reverse has been lost, having been carried off in the middle of a free-fight which once occurred among the members of the corporation. Saltash collects, up to the present day, dues on all ships entering Plymouth Sound—a most monstrous power. The country has to pay considerable sums on account of those among these unreformed corporations which possess the power of levying shipping dues. By various treaties we have bound ourselves to give up differential dues directed against foreign ships. These ancient ports, such as Queenborough and Saltash, possess by charter the power to levy differential dues, and they used to tax French ships most severely. Saltash taxes Spanish ships at six times an English or three times a French ship. These differences we now have to pay. For the dues which are levied by Saltash on all vessels that anchor in Plymouth Sound nothing whatever is done, except that £1 a-year is spent upon a trumpery buoy. Rights of bushelage and oysterage, the latter let for £110 a-year, are also exercised in the Tamar by the Saltash corporation, and it has absolute jurisdiction over the whole liberty of the Tamar which goes right past the far more flourishing towns of Plymouth and Devonport. During the last few years the corporation has done something towards street improvements, though why all ships entering Plymouth Sound should be made to pay for the improvement of the streets of Saltash it is hard to say.

Saltash corporation elects its own recorder, who is a practising attorney. He has enormous power, which he has exercised so far as to transport persons for the term of seven years.

The muniments of Saltash are kept in a chest which has seven locks, for there are seven aldermen. Each of the seven aldermen has his key, and unless all the seven aldermen are there with their seven keys, the chest cannot be opened.

The town administered by the corrupt body which I have described, and thus governed by a self-elected irresponsible clique of local tradesmen, is growing very fast, and growing, it happens, with a population of a wealthy and a cultivated kind. The new inhabitants say that they are unable to discover why a flourishing community should in these days be ruled by a body as close as the corporation of New Romney. As long ago as 1854, the inhabitants petitioned both the House of Commons and the House of Lords for the abolition of the corporation, and the local papers are at the present time full of histories of their misdeeds. They check trade by levying taxes at markets and fairs; they have sold land; they have largely let land to members of their own body with the customary bad results; they own the living; they own the church; and some time ago they sold its ancient font. General jobbery is also alleged against them.

The conclusion to which this evidence leads with regard to Saltash, is that this is a case in which it would not be enough merely to insist on the revenues being properly applied with due publicity. I confess I think that the dues levied on ships casting anchor in Plymouth Sound ought to be taken away from the corporation.

Passing along the coast from Saltash we come next to East Looe. In 1835, the corporation of this town returned its revenues as £100 a-year, but the Commissioners reported "accounts not published, and not known, and lands much underlet." This is, however, the purest corporation that I have come across; it happens by chance to have fallen under the control of a few public-spirited and honest men of means who have devoted themselves to the welfare of the place, but the objections of principle to the existence of this corporation are the same here as they are elsewhere. A self-elected body licences public-houses and possesses the power to exercise criminal jurisdiction, and there is nothing but chance to prevent this self-elected body from here also becoming a clique, narrow-minded, or corrupt. Even here lands are sold without public competition, and the future of the town is pledged, rightly perhaps, perhaps wrongly, but, at all events, without its own consent.

Divided from East Looe by a narrow river is the sister borough of West Looe, also an unreformed corporation. It is the most interesting case of the class which includes Grampound and Plympton Earle. West Looe is a rather modern borough. It was chartered by Queen Elizabeth, and endowed by her with lands out of the property of the Duchy of Cornwall, the Duchy being at that time held by the Crown. The corporation paid always until its extinction, if it be extinct, a nominal rent of 5*s.* a-year to the Duchy for these lands. About 40 years ago a kind of tontine was arranged, the corporators ceasing to fill vacancies in their number under the amiable idea that the last survivor would become possessed in his person of the whole of the property of the town. When Nathaniel Hearle died in 1870, he being the last elected mayor, it appeared that the stealing of lands which had been successfully carried out at Grampound, and which, in the absence of inquiry, will be successfully carried out elsewhere, could not be carried out at West Looe because of the singular character of the charter. In most cases the lands have come down from times before all documents, or have been purchased by the corporations with the proceeds of dues and tolls, or have been given by individuals, but in this case they had been granted along with the charter, and with a nominal rent reserved by a still existing body corporate —the Duchy of Cornwall. In 1870, accordingly, the Duchy claimed that the charter had been forfeited, and it stepped in and resumed its grants. The Duchy, in 1874, reconveyed the whole of the property to trustees for the benefit of the town for a rent which, though no longer nominal, is very small. But just as the corporation had exceeded their powers, so the Duchy seems to have exceeded its powers, and an action of ejectment brought last year to turn out a person who paid no rent wholly broke down and failed, and I believe that unless we pass a confirming statute the trustees will find that the corporation property of West Looe no longer exists.

The next borough of which I have to speak is one that has been long dead, but I mention it in order to show that the infamies of the extinction of these corporations are as great as the corruption of their lives. Grampound, a borough for which in the 17th century there sat as a Member of the House of Commons John Hampden, but which, in the 19th century, was extinguished by Parliament for its gross corruption, was reported by the Municipal Commissioners as being almost without property, its lands having been, between 1822 and 1835, stolen by members of the corporation. The very small portion which remained in 1835 has, I believe, been stolen since. David Varcoe, who was mayor at the time of the disfranchisement of the town, sold most of the lands and bolted with the money, after burning the whole of the corporation books. But 13 years after this the corporation was for a time revived, and it might be revived again. The last mayor informs me that at the time of his election the property had entirely disappeared. He refused to serve, believing his election to have been illegal from informality. All these dead corporations are still called over by the Clerks of the Peace at the county Quarter Sessions as though they survived. Let us put an end to the walking of the earth by their ghosts, for as matters stand their jurisdiction might undoubtedly be re-established. The calling over of their names reminds me of the reading on the muster roll of the French grenadiers—*La Tour d' Auvergne*, but it cannot be replied of Grampound *Mort sur le champ d'honneur.*

Tregoney is also dead like Grampound. It had property in 1835, but no accounts to produce. The farm of Treswallen belonged to the corporation, and in what manner that corporation has become extinct, and with what financial arrangements no person in the locality can say.

Returning to the coast we find the town of Fowey. The Commissioners stated that its charter was forfeited in 1826, and it is not one of the boroughs returned as existing in the paper of last year. Nevertheless, there are certain statements which have to be made in regard to it which, I think, will prove of interest. Fowey, which was the town which sent most ships and men to the siege of Calais, and which in the days of Elizabeth was almost the first seaport of England, but which now is a mere village, had the misfortune to quarrel with its lord, Mr. Treffry, lord of the manor and steward of the town. A great Chancery suit was pending in 1835, but the Commissioners stated in their Report certain points with regard to the administration of the town, and, among others, that lands which were worth £250 a-year had been let for the sum of £8. Mr. Treffry obtained an injunction in Chancery against the corporation for mismanagement, but Chancery proceedings were pending for 19 years before Mr. Treffry took other steps which had the effect of bringing the existence of the corporation to an end. He seized the Town-hall, the muniment chest, and the records by force, and I believe that the Treffry family possesses the mace and other insignia at the present day. What I want to show is that if we look at the worst of these corporations, committing, with the least caution, the most illegal acts, we shall see that there is not the smallest chance of putting them down unless under such purely exceptional circumstances as those which existed at West Looe or at Fowey. At West Looe it will be remembered that the Duchy of Cornwall proved the original grant of the lands to the corporation. At Fowey, Mr. Treffry had the prestige of the great local family in fighting the corporation, and he also was able to show a grant by his ancestors in the year 1421 of considerable estates to the town. Yet even here the case was pending for a vast number of years, and the Treffry property was mortgaged to the extent of £40,000 on account of the law suit. The lands are now held and managed for the benefit of the town by trustees, and nine-tenths of the land on which the town stands is in their hands. No entry as to the property of Fowey is made in my Return, but I believe it to be very valuable, and I know not upon what it is expended, except that £30 a-year is given to the church and £80 to the church school. My strong impression derived from local inquiry is that the balance goes to the Treffry estate. There are heavy tolls and quayage dues, and this unfortunate town has in addition to pay another £40 a-year to the neighbouring unreformed corporation of Lostwithiel. The Lostwithiel corporation levy 1*s.* 4*d.* upon every English ship entering Fowey, and 2*s.* 8*d.* upon alien ships, besides bushelage on the cargoes, and we, of course, have to pay the differential dues as I have explained before.

Lostwithiel, which I named just now, is one of the worst places in all England. In 1835, the corporation was composed of six members in all. They kept no accounts, and they stated that their property was worth only £153 a-year, although the Commissioners thought it was worth more. The mayor published his accounts in 1843, and showed that the income of the corporation, even at their own rates of letting, was £400 a-year instead of what they had told the Commissioners. Their rents from lands alone were vastly greater than the £153 which they had named. In addition they had heavy harbour dues and quayage dues, and large receipts from tolls, fairs, and markets. In fact, I have reason to believe that if the property of the corporation of Lostwithiel were let at its full value it would produce, at least, £1,000 a-year.

In 1843 they spent £150 in repairs of the church, but those were repairs such as could be only needed once in a century or so. It was probably on account of this special expenditure of £150 that 1843 was chosen for the publication of accounts, inasmuch as in other years the corresponding £150 had probably gone into pockets which it would not have been convenient to have specified in a Return. In 1843, the corporation appear to have spent a large sum on a dinner to themselves on an occasion called "mayor-choosing."

The corporation of Lostwithiel ought to consist of seven aldermen, one of them acting as mayor, and of 17 assistant burgesses chosen by the seven aldermen. "The seventeen" are mere dummies, having no voice whatever in any matter except "mayor-choosing," and this is always arranged before-hand and is a mere farce. "The seventeen" are sometimes locally styled "the wise men," but they are more commonly known as "the seventeen nines with their tails cut off," that is, ciphers. The town is in reality governed by five persons, that is, by five out of the seven aldermen, for one of the seven refuses to act, and another of the seven was a bankrupt and has not lived in the town for 20 years. The five take it in turn to be mayor. Of these five two are tradesmen, and under the thumb of two others who are brothers, and the fifth is their doctor. One of the brothers is a tanner, and one is a tanner and banker. One of these brothers, who was elected mayor the moment he had been made an alderman, was not even a ratepayer of the town. The tan-pit of the reigning family makes a horrible stench in the middle of the place, but nobody dares complain for the tanner is dictator. The sanitary state of the town is disgraceful. There are five slaughter-houses and scores of pig-houses, intended, not for the use of the locality, but for the supply of places around. A thousand sheep a week are slaughtered in the village for the London market, and pigs are fed there on the entrails of the sheep. It is impossible to obtain a conviction in the borough for a breach of the sanitary laws, for the butchers are of "the seventeen," and help to keep the ruling family in office. In 1872 virulent small-pox broke out in Lostwithiel, and carried off no fewer than 36 persons out of the very small population. The conduct of the corporation in sanitary matters has ruined the river Fowey as a salmon and trout stream, although it was one of the best in the South of England, and the tanner who pollutes the stream is one of its "conservators." The refuse from the gas works, and from a yard where railway sleepers are pickled in creosote is all sent into the river to help to feed the fish, and I am told that the few fish left in it are blind upon which they are to be congratulated. I can further tell the Government, who have shown by their Bills that they are in earnest in trying to prevent the pollution of rivers, that the moment the Commissioners' letter was received which announced a local inquiry at this interesting place, the corporation set to work to put a temporary stop to the pollutions, which, however, have become as bad again as ever since that day.

Salaries are paid out of the revenues of the town, not only to the town clerk who is not one of "the seventeen," but to nearly all the members of "the seventeen" themselves. There is an educational charity under the management of the corporation, but the master is one of "the seventeen," and he fills a multiplicity of offices under the corporation; for besides being schoolmaster, he is tax collector, stamp distributor, relieving officer, secretary to the gas company—of which one of the aldermen is chairman, and in which the mayor has an interest, and which has a splendid contract with the corporation—secretary to the sanitary board, and keeper of the corporation accounts, which I have reason to believe might be audited with advantage. He is also vicar's churchwarden. The following officials are also assistant burgesses or members of "the seventeen;" two town-sergeants, two beadles, two constables, a swine driver, an ale-taster, two regulators of weights and measures. Another of "the seventeen" is the salaried organist of the church, also paid by the corporation. I can prove that fifteen out of "the seventeen" are in the pay of the corporation. I believe that a sixteenth is in their pay, and it is possible that all seventeen are. "In the pay of the corporation" means, as I have shown, in the pay of the mayor whom they elect. "The seventeen" dine together, as I have said, at the corporation expense at "mayor-choosing," but they also compose the court maritime of Fowey, and being again called together, as such, 14 days after "mayor-choosing" they then get another dinner.

I turn, now, to the jurisdiction of the Lostwithiel corporation. There is a Recorder of the town, appointed by the Aldermen, but he never comes, and one of the Aldermen acts with all authority as his Deputy. The Deputy-Recorder is bound by the words of the charter to be "sufficient," which, I believe, means sufficient in the law, that is, versed in the law; but the present Deputy-Recorder is the tanner and despot of Lostwithiel. The magisterial decisions of the ruling authorities of the town of Lostwithiel are curiosities in our judicial annals. The sentences may be judged of from the fact that a local ruffian was lately fined the sum of 6*d.* for an assault on one of the county police. The county police do duty in the town, although salaries are paid out of the accounts, as I have shown, to the constables and other similar officers of the corporation. When the police catch a noisy drunkard on the bridge, which is half in the borough, they always try to push him over to the county half of it, because if they take him there they can get him convicted, otherwise not.

The living belongs to the dictator of the corporation. It was held by the late incumbent for 55 years, and he died three years ago at the age of 86. For a long period he had been one of the Aldermen of the town. The living had been his, and it was only a few months before his death that he sold the living for a low price to its present owner. Now, the church is kept up out of the income of the corporation, who completely control it—for instance, instead of one of the churchwardens being chosen by the parishioners in their vestry, the vicar's churchwarden's colleague is nominated by the Aldermen, and is one of "the seventeen." He is, indeed, the painter and glazier who effects the repairs of the church for the corporation. The present owner of the living sits and votes money out of the Town income towards his own church. The present vicar was appointed only for six years, and the owner of the living has another brother who is preparing to take orders. Of this person, I will only say that he was formerly in a cavalry regiment, which he had to leave, and that he is not a fit person for the office. It is understood that when this person is made vicar he will at once be chosen Alderman, and then the three brothers, even without their dependents, will carry all before them. The corporation are paying an additional income to the present vicar, who lives in a corporation house rent-free.

The corporation of Lostwithiel, like the corporation of New Romney, but even to a larger extent, has sold, without account and apparently without re-investment, freehold property of the Town. We ought to know to whom the property was sold, and at what price; and also what houses and lands belonging to the Town are held on lease by Aldermen. It is believed in Lostwithiel that they let their own lands to themselves at perpetual leases.

It may naturally be asked why a self-elected body should be kept thus in possession of uncontrolled power to squander a property certainly worth £500 a-year, and probably worth £1,000 a-year; why, in Lostwithiel, the county magistrates should have no jurisdiction, and the law be administered according to the judicial ideas of country tradesmen. What crime have the inhabitants of Lostwithiel committed that they should not enjoy the same rights and privileges as the rest of the people of England, and that they should be refused all voice in the government of their own town.

The last of the Cornish corporations with which I deal are those of Marazion, Camelford, and Tintagel. Marazion, or Marghasieuve, has attracted much local attention since my Motion of last year, but is unimportant. The mayor gets three guineas a-year to spend on cakes. There is in Camelford a revenue from fairs and markets, and from land; the members of the corporation are, as usual, self-elected; the rector, who is one of them, is non-resident, which here, as at New Romney, is said to be illegal; there is an educational charity for teaching Latin to six poor scholars, the conditions of which are said to be violated; and another charity, the money of which is said to be mis-spent.

The Tintagel property appears to have been resumed by the Duchy of Cornwall on a claim of forfeiture of charter, though the charter was granted by Richard king of the Romans; but the Duchy did not here, as in the West Looe case, hand over the property to trustees for the benefit of the town, but sold it. The mace was carried off by one of the freemen, who also made in his own person and name a sale of the Town-hall and market-house. At Tintagel, the vicar is, under the old charter, constable of King Arthur's Castle. Presuming on this position he has introduced rabbits, and is said to have ruined the sheep-feed of the Duchy; but thorough reliance cannot be placed on the local statements in regard to him, because he is making a large income out of quarrying slate on the glebe land, which the inhabitants hold to be illegal. The place is so dangerous that no insurance office will pay on ships loading under King Arthur's Castle—one of them was, indeed, totally lost there last year.

I believe that the whole of the unreformed corporations are very like the 19 that I have carefully examined. As for the corporations of Wales, for instance, the most frightful abuses exist in the case of Conway, the mayoralty of which curiously enough is in the gift of the Crown. In the summer of last year Mr. Vernon Darbyshire, of Pendyffryn, a member of the corporation of Conway, brought forward an unsuccessful Motion in favour of its dissolution. I hear that the account-book of the corporation has been made into a picture-album by the grandchild of the agent to the corporation. There is at Conway a large income with the ordinary abuses, and with even more than the ordinary sale of corporation lands. The town of Henley-upon-Thames is also one of those possessing unreformed corporations, where a Motion for the dissolution of the corporation was brought forward in consequence of my Motion of last year, with the usual want of success. Relationship, as at New Romney, is essential for election to the corporation, and Dissenters, as at Woodstock, have been till lately rigidly excluded from the body. Since my Motion of last year, and the local stir in Henley which it caused, some of the leading Dissenters have been asked to join the corporation. With one exception they have all declined, although some years back they would have consented. They have declared, to quote the words of their manifesto—

> "That they will not become members of a body the very existence of which is a stumbling-block to that political life which is necessary for the welfare and progress of the town."

Henley was returned, in 1835, as possessing a property of only £72 a-year; but I have a statement by a leading member of the local board to the effect that the unreformed corporation of Henley does, in fact, administer property worth £1,600 a-year. It is impossible for me, in the total absence of evidence, and complete concealment of accounts, to even pretend to say whether it is the corporation Return or the local statement that is right; but there is this confirmation of the local view, that in 1858 some accounts were published which showed a balance in a single year of £350 unexpended monies. This balance, moreover, existed in spite of some of the lands being let to members of the corporation at half their value. The discrepancy between the sum of £72 returned by the corporation, and the sum of £1,600 a-year, always alluded to in the local papers, and named on high authority to me, of itself shows the urgent need which there is for inquiry into the funds held by unreformed corporations.

I have also received many letters about the case of Higham Ferrers in Northamptonshire. There is property estimated at £300 a-year; no accounts; criminal jurisdiction exercised in sessions by the mayor and ex-mayor, *ex officio*, and licensing jurisdiction. The members of the close body let their land to one another in the usual way. With the exception of a sum of £25, the inhabitants assert that the corporation "scramble" their large funds among themselves.

With regard to the jurisdiction of the corporations, it seems to me so clear that persons neither nominated by the Crown for fitness nor elected by their fellow-subjects should not be allowed to try criminal cases, that I shall conclude my speech by moving that we forthwith abolish all criminal jurisdiction exercised by unreformed municipal corporations. Here is a case of jurisdiction for the House — At Havering-atte-Bower, in Essex, the steward, who is magistrate with criminal jurisdiction, is nominated by the lord of the manor, though the manor has been sold for money. This is selling a right to sit and try one's fellow-subjects! Liberty sessions are held every fortnight, and all the privileges of the ancient "Horned Monastery" are claimed.

With regard to their property, however, and their administration, I think that a local inquiry by means of a Commissioner should be held. There may be some objection to this course, and I will not make any Motion as to it, but I will instead, with reference to this branch of the subject, proceed to shortly put to the Attorney General certain legal questions as to which I have given him full private Notice.

It is my impression, and this is one reason why I make no Motion with regard to the funds of these corporations, that there does exist a manner of reaching some or all of them under the present state of the law. It is not free from difficulty, and it needs the intervention of the Attorney General. Here is the point to which I ask his careful attention. "A charity," by 43 *Eliz.* c. 4, includes all property held by corporations, partly for municipal and partly for church or educational purposes. In the great majority of cases these unreformed corporations have some such claims upon their money. In all these that circumstance seems to bring the whole of their property under the legal obligations of the Charity Acts. Comparing the 61st section of the Act of 1853 with the 44th section of the Act of 1855, the trustees, or, in the case put, the corporations have to send accounts annually to the Charity Commissioners. This law is broken by the vast majority of the unreformed municipal corporations holding mixed properties partly under charitable, educational, or religious trusts. Again, under section 29 of the Act of 1855, trustees, or, in the case put, the corporations, are forbidden to make, without the approval of the Charity Commissioners, any sale, mortgage, or charge of the estate, or any lease, in reversion, after more than three years of any existing term, or for any term of life, or in consideration, wholly or in part, of any fine, or for any term of years exceeding 21 years. This law is also broken by the great majority of unreformed municipal corporations holding mixed properties. These corporations, if written to by the Charity Commissioners, would reply that they do not hold upon charitable trusts. Now, when trustees deny that they hold on charitable trusts, or, as it is called, when they hold adversely, the Charity Commissioners by the 15th section of the Act of 1853, are precluded from demanding any information. I wish to ask the Attorney General whether if, in the case, for instance, of the Lostwithiel corporation, who, undoubtedly, hold part of their lands upon a charitable trust, inhabitants were to ask him to assist them, he would, if written to by the Charity Commissioners, help them under Clause 20 of the Act of 1853?

The clause to which I call the Attorney General's attention is the 16 & 17 *Vict.* c. 137, s. 20, which enacts that in any case in which it shall appear to the Charity Commissioners that the institution of legal proceedings is requisite or desirable with respect to any charity—and the Lostwithiel corporation is, as I have shown, for these purposes a charity—it shall be lawful for the Commissioners to certify such case to the Attorney General, and thereupon the Attorney General, if upon consideration of the circumstances he think fit, shall prosecute such legal proceedings as he shall consider proper by application to the High Court of Judicature.

With regard, then, to the property of these corporations, I feel that local inquiry by a Commissioner is desirable; but while I urge the Government that they should grant it, I will not make a Motion to that effect. I have shown how in many of the cases, if local inquiry is refused by the Government, we shall be able, although with the difficulty which is caused by local fears and local pressure, to procure applications to the Charity Commissioners. I ask the Attorney General with regard to these, whether, in the event of such applications coming to him, backed by the authority of the Charity Commissioners, he will prosecute? I wish also to ask either the Attorney General or any other Member of the Government whom it may more properly concern, whether I may have, as an unopposed Return, any correspondence which has lately taken place between the inhabitants of Lostwithiel and the Charity Commissioners upon this point?

Upon the other, and, as I think, the clearer branch of the question where both are clear, because I know not what answer can be made to our case, I beg to move the Resolution of which I have given Notice.

Motion made, and Question proposed,

"That, in the opinion of this House, it would be desirable to forthwith abolish all criminal jurisdiction exercised by unreformed Municipal Corporations or their officers, with the exception of that of the City of London, for which due provision has been made by statute."—(*Sir Charles W. Dilke.*)

The ATTORNEY GENERAL said, he had listened very carefully to the speech of the hon. Baronet, and he understood that the question which had been put, was whether, if the Charity Commissioners should ask one of these corporations for information with reference to its property or an account of the disposal of its property, and the corporation should decline to give any information or any account, the matter should be certified; and he understood the hon. Baronet to have asked him whether in such a case he would direct legal proceedings to be taken against the corporation. In a moment or two he would answer that question as definitely as he could; but before he did so he would ask leave to call attention to the position of these corporations with reference to the property they held. He believed it had been decided, over and over again, that corporations, whether Ecclesiastical or Civil, except charitable corporations, were not trustees of the corporate property—that was to say, were not to be considered *primâ facie* as trustees. In order to make them trustees of the corporate property it was necessary to show that the property was subject to some specific trust, public or private, by some Act of Parliament; some will, deed, or instrument of some kind or other. *Primâ facie* these corporations were not trustees of separate property. If they had been, no doubt many of the abuses alluded to by the hon. Baronet would have ceased, because those interested in the trust property would have taken proceedings against them and had it properly administered. With respect to municipal corporations under the Municipal Corporations Act, they were trustees of the corporate property. That Act made them trustees, and provided that the corporate property should be trust property. But unfortunately the Municipal Corporations Act did not apply to the corporations to which reference had been made, and therefore those provisions which made their property trust property were not applicable to them. Then came the question as to what proceedings might or should be taken under the Charitable Trusts Act of 1853 and 1855. The Act of 1853 said that the Commissioners might make inquiry as to all property held on trust for charitable purposes; and if they came to the conclusion that any property was held on trust for a charitable purpose, and they thought that charity was not being duly carried into effect, they might certify the case to the Attorney General for the time being, at the same time giving him all the information they could afford with regard to the particular property or charity and a full explanation of the case; and if the Attorney General, on considering the explanation thus given to him, thought it was a proper case in which proceedings should be instituted, then it was within his power, and it would undoubtedly be his duty and also, he thought, his pleasure, to direct that proceedings should be instituted. But to deal with the specific case alluded to by the hon. Baronet—namely, where the only fact submitted to the attention of the Attorney General was that the corporation, having been applied to for information with respect to its property or for an account of its proceeds, simply refused to give the information or the account—whether, in that case, the Attorney General would be justified in directing proceedings to be instituted, he should very much doubt. As at present advised he should hesitate to direct proceedings to be taken against any of the corporations on that simple fact being established; because it was clear that until, at all events, a *primâ facie* case had been made out of the existence of a trust, the corporations were not bound to answer such a question put to them by the Commissioners, and could hold themselves adverse, so to speak, to the Commissioners. But though he might not be justified in directing proceedings in specific cases like those, a very little evidence showing that there was a trust in some persons would induce him to consider it a fair case for investigation and to direct proceedings to be taken. In such cases it would not take much to satisfy him that the property held of the corporations was held upon trust. If it was made out that it was in any way a charitable trust, then it would come under the jurisdiction of the Charity Commissioners, and he should have much pleasure in directing that there should be an inquiry, in order that that property should be administered as the donor had desired. The question put to him having been one of a somewhat vague nature, it perhaps did not admit of a more distinct answer than he had given.

Mr. GREGORY could have wished that the Notice of the hon. Baronet the

Member for Chelsea had been more specific, and had given some intimation of the charges he had made against individuals? The Municipal Corporations Act of 1835 distinctly recognized the antecedent right of the corporation to the property vested in them, and it protected not only the right of property of individual members of the corporation, but even those of their wives and families. That fact did not bear out the statement of the hon. Baronet; but, on the contrary, it confirmed the view of the law laid down by the learned Attorney General. The hon. Member then referred to the corporations now in question which were within his own district, leaving other hon. Members to deal with those existing in their respective neighbourhoods. The corporations of Pevensey and Seaford had been referred to by the hon. Baronet. Pevensey, he said, was a place of very great antiquity, having, in fact, been a Roman town. It was, perhaps, the oldest corporation in England, its original charter going back to the time of Edward I. It contained a population of between 1,100 and 1,200. The corporation consisted of 40 freemen and seven jurats, or elected magistrates, the latter being a body of gentlemen than whom none more fit for the office they held could anywhere be found. The corporate property was very small, not exceeding £110 a-year; it was expended on education or in charity and on other purposes useful to the inhabitants, and he did not know that any grievous error had been alleged against the corporate management. The hon. Baronet had alluded to a charity under their administration; but it was now administered under a scheme settled some 15 years ago by the Charity Commissioners. As to the rates they levied, they were, in fact, county rates for police and lunatics, levied under a precept sent to the jurats by the quarter sessions. He came next to the borough of Seaford. The corporation consisted of about 45 corporators; their income was £40 a-year, and they had expended about £540 for improvements, and £500 for building a guyne or sea-wall. It was true the corporation granted a lease of their property for 299 years to a gentleman named Tyler Smith, under the impression that he would carry out certain improvements, and would, among other things, erect a sea-wall. The speculation, however, failed, and the works were not carried out. As far as the corporations on whose behalf he spoke were concerned, he would say for them that they had no objection to any inquiry which might be instituted, nor would they resist such alterations in their constitution as Parliament, in its wisdom, might think necessary. What they would consider a grievance, however, would be any proposal involving their utter annihilation as corporations.

Sir WILLIAM HARCOURT said, he thought the admissions made by the hon. and learned Gentleman who had just sat down in reference to the corporation of Seaford furnished a strong argument in favour of the Motion of the hon. Baronet the Member for Chelsea. They had leased their property for 299 years to Mr. Tyler Smith without taking any precautions to secure his carrying out works for the public good, and having received £500 from Mr. Smith, they divided it among themselves. He would not dispute with the Attorney General the law which he had stated, that corporations were possessed of property not affected with any trust, but that he would be glad to imply a trust. This was not, however, a question of trust, but a question of policy for Parliament to deal with. Under the Municipal Corporations Act Parliament said that corporations should be treated as trustees acting on behalf and for the benefit of the public in the vicinities over which they had control, and how these corporations had escaped the net he did not know, but it was quite time that they should be brought into it. Last year the Home Secretary dealt with the brick and mortar rookeries existing in different parts of the country, and it was to be hoped that he would now take in hand the municipal and political rookeries which still remained in the shape of these small unreformed corporations. Anything more scandalous than the condition of some of these corporations could not be conceived. Some were better and some worse than others. Those which were better would not suffer from inquiry, but those which were worse ought to suffer. All bodies of this kind ought to be made to do their duty, or else they ought to cease to exist. He considered the hon. Baronet the Member for Chelsea had been very wise in confining his immediate Resolution to the most objectionable of all powers held by these corporations—namely, the exercise of criminal jurisdiction. How was it possible that hon. Gentlemen whom he addressed, who formed the best part of the magistracy of the country, and who were desirous of maintaining its authority, could desire that side by side with the magistrates under the authority of the Lord Chancellor, who were nominated by the Lord Lieutenants, there should sit a body of men exercising criminal jurisdiction who were elected in the manner stated, and who were under no authority? What did anyone know of these men, and what guarantee was there that they were persons who ought to be charged with such authority as that they were possessed of? The administration of the Licensing Act was one thing which he was sure the Home Secretary would not think was a fit subject to be left to persons elected in this manner. Therefore, he hoped the right hon. Gentleman would let the House know whether he was prepared to give in some form or other support to a Motion the object of which was to do away with the flagrant abuses.

MR. ASSHETON CROSS said, he felt sure the hon. Baronet the Member for Chelsea would admit that every facility had been afforded him by the Government for bringing the matter forward. He was equally sure that the House was indebted to the hon. Baronet for having taken a vast amount of trouble in ferreting out what he took to be abuses requiring remedy. On one occasion the right hon. Gentleman behind him (Mr. Henley) described the sport of ferreting out ecclesiastical abuses as being something better than a rat hunt. In the same spirit the hon. Baronet the Member for Chelsea had delivered to the House what was not only a useful, but an amusing speech. The Attorney General had not spoken of the question of policy, but had wisely and properly confined himself to the question of law; but he (Mr. Cross) did not see how it could well be considered that the property held by corporations had not trust attached to it. However, he would be ready to give any help that he could in bringing about an inquiry into these corporations and in providing a better state of things. As to the question of the administration of justice by these corporations, that was a matter of the greatest importance, and if there were any division he could not divide against the Motion of the hon. Baronet. In all boroughs, whether large or small, justice ought to be properly administered, and fit persons only should be entrusted with the important duty of administering it; and as to the Licensing Laws he thought that only justices of the peace ought to be intrusted with the powers conferred by the Acts of Parliament. He hoped the Motion would not be pressed to a division by the hon. Baronet until he had heard the reason why these things had been allowed to remain for so long untouched, and why they were not mentioned in the Report of the Commission of 1835. It was supposed that the exercise of the criminal jurisdiction had ceased. In the case of Romney Marsh, although a Court of Session was held before the Bailiff, the offenders were very few, and there had been no cases of felony for three or four years. They would find that the criminal jurisdiction had practically ceased in the views of the Commissioners. Now that the matter had been brought before the House and the country, he felt bound to say that it was time the whole question should be looked into, and the corporation put upon a better footing; and if the hon. Baronet would trust him, he would promise to take such steps as the Government might think best in order that that should be done.

MR. PEMBERTON said, he was anxious, in consequence of being absent last year when this question was brought on, to say something on behalf of New Romney, which was once one of the Cinque Ports. The corporation of that borough was an ancient one. Its charters had been confirmed by several Sovereigns, and the last was granted by Queen Elizabeth. There were at New Romney a mayor and five jurats, and certain freemen and commonalty. One of the charges made last year by the hon. Baronet was that the corporation was not legally constituted, that the number of jurats ought to be 12; but the charters stated that there might be any number of jurats not exceeding 12. In the time of Queen Elizabeth there were five, and from that time to the present the number had varied from four to 11; therefore, he thought that charge of the hon. Baronet had broken down. As to the mayor, who had been alluded to, it was true that he had a residence a mile and a-half away, but he had large property in the borough, and went there daily. The mayor and corporation had applied the property which they held for the benefit of the town. Leases had been granted according to the valuation of surveyors, and a great deal of property had been reclaimed from the sea, much money having been spent for that purpose, and they had applied the residue of their funds for the benefit of the borough, paying out of them the borough, police, paving, and lighting rates. There had been no borough rate from time immemorial; therefore, so far as New Romney was concerned, the charge of maladministration had not been sustained. Of the mayor and jurats two were county and borough magistrates, appointed by the Lord Lieutenant and the Lord Chancellor. Those gentlemen did not wish to oppose any inquiry, nor to oppose anything that the Government might think desirable. As to the election of the mayor being in the church, that was required to be done by the charter, in the absence of all but the commonalty and freemen. [SIR CHARLES W. DILKE; The commonalty?] Yes; but the hon. Baronet would, if he read the charter, see that commonalty and freemen meant the same persons. As to the borough of Queenborough, no doubt it once possessed some property, but the corporation engaged in the speculation of oyster breeding, and in the year 1845 the corporation became bankrupt, and the whole of its property, under an Act of Parliament, was sold to pay its debts, and they were paid off, and now the only property which it possessed was the Guildhall, a house, and the advowson of the living, and its income was, on the average, £50 a-year, which was applied purely towards corporation purposes. Of the corporation of Fordwich he knew nothing, as he had had no communication from the borough. On the part of the other corporations there had never been any desire to make concealment.

MR. CHADWICK, in support of the Motion of the hon. Baronet, said, that never had a better case for an inquiry been made out. He thought that if these corporations were not affected with a trust for charitable purposes they held their property in trust for the public good, and not for themselves personally; and he also thought that the answer of the Attorney General would be looked at by the public as a legal quibble. He would venture to suggest that there should be either a Royal Commission or a Select Committee appointed by the Government to inquire into and report upon the whole matter, as regarded the constitution, funds, forms of government, and the mode of appointment in all these boroughs. Such a Report would form the only sound and reliable basis for any proposed reforms.

MR. H. T. COLE said, he was of opinion that the hon. Baronet had conferred a great benefit on the public by his able exposure of the defects and anomalies of these corporations. He could add one fact with regard to Corfe Castle. The mayor of Corfe was himself an elective officer; curiously enough he had the power of appointing a deputy who acted as a justice of the peace, who sat at licensing sessions, and exercised all the other powers conferred on those magistrates appointed by the Lord Lieutenant of the county or by the Lord Chancellor. That was, he believed, the only case known in which a mayor could exercise such a power.

SIR CHARLES W. DILKE said, that after what had fallen from the right hon. Gentleman the Secretary of State for the Home Department—who, he was sure, would do what was right in the matter of jurisdiction—he would not press his Motion to a division.

Motion, by leave, *withdrawn.*

COUNTY PALATINE OF LANCASTER (CLERK OF THE PEACE) BILL.

(*Mr. Hardcastle, Mr. Holt, Mr. Clifton.*)

[BILL 53.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Appointment of deputy clerks of the peace).

MR. RATHBONE moved, page 1, line 17, after "him," to insert—

> "Provided always, That each deputy clerk to be appointed shall be a solicitor of ten years' standing, and shall have an office within the district for which he is appointed, and the clerk of the peace shall have no interest in the emolument of any deputy clerk."

If the patronage was to be taken from the hands of the Chancellor of the Duchy, in whom the public would have confidence, they should have some security that it would be properly exercised. In every instance where there had been decentralization the results had been more gratifying than the most sanguine persons could have imagined.

Large centres of population like Manchester and Liverpool were entitled to have some security that the persons appointed should be competent for the discharge of their duties.

Amendment proposed,

In page 1, line 17, after the word "him," to insert the words "Provided always, That each deputy clerk to be appointed shall be a solicitor of ten years' standing, and shall have an office within the district for which he is appointed, and the clerk of the peace shall have no interest in the emolument of any deputy clerk."—(*Mr. Rathbone.*)

Question proposed, "That those words be there inserted."

MR. ASSHETON CROSS said, that the question of the division of the county of Lancaster might arise, and if the proposition were started he should be prepared to consider it; but so long as Lancashire was one county, so long did he think it necessary that there should be one clerk of the peace. He had enjoyed considerable experience in this matter, for he had sat as chairman of quarter sessions in the extreme north and in the extreme south of the county, and he thought the same clerk of the peace should follow the magistrates round. He could conceive nothing more inconvenient than three clerks of the peace, acting on different lines, instead of there being one clerk of the peace whose business it was to go all round the county. He was willing to adopt any safeguards for the appointment of a proper deputy, and was ready to adopt the Amendment to the extent of requiring that he should be a solicitor of seven years' standing. It was better to leave it to the magistrates to say whether he should have his office within the district. Whether his office were in the south-west or south-east of the county, it was necessary, however, that there should be a head office.

MR. RATHBONE expressed his readiness to accede to the insertion of seven years instead of ten years in his Amendment.

Amendment amended, by leaving out the word "ten," and inserting the word "seven."

MR. HARDCASTLE moved to omit from the Amendment all the words after the word "standing."

Amendment proposed to proposed Amendment, as amended, to leave out from the word "standing," to the end of the Amendment."—(*Mr. Hardcastle.*)

Question put, "That the words proposed to be left out stand part of the proposed Amendment, as amended."

The Committee *divided:*—Ayes 45; Noes 53: Majority 8.

Bill *reported;* as amended, to be considered *To-morrow.*

VALUATION OF PROPERTY (METROPOLIS) ACT (1869) AMENDMENT BILL.

(*Mr. J. G. Hubbard, Mr. Forsyth, Mr. Twells.*)

[BILL 74.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. G. Hubbard.*)

MR. GOLDSMID objected to the Bill being disposed of without some further explanation than had been given of its provisions.

THE CHANCELLOR OF THE EXCHEQUER said, the measure was one to which he entertained very serious financial objections, and pointed out that the Bill introduced by the President of the Local Government Board proposed to repeal the Act with which the present measure dealt. He thought it would be inconvenient to proceed with the discussion of this measure at present until the House had heard some statement on the subject.

MR. GOLDSMID begged to move, as an Amendment, that the Bill be read a second time on that day month.

MR. P. A. TAYLOR seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day month."—(*Mr. Goldsmid.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. J. G. HUBBARD said, the object of the Bill was to mitigate the assessment of Imperial taxation on all real property in the metropolis, reducing the rateable charge on the gross rental of the property by the outgoing necessary to maintain it. Nothing could be more equitable, and the President of the Local Government Board proposed to apply the same principle to the whole of the country which it was sought by this Bill to apply to the metropolis. In 1870 or

1871 the gross value of property assessable in the metropolis was £24,000,000. Since that estimate was made the rateable value of the metropolis had been raised from £24,000,000 to £28,000,000, not absolutely by increased value, but by the system which had been very diligently pursued by the assessment committees and surveyors of surcharging the value of the houses whenever there was any excuse for doing so. He could mention instances in which the valuation of houses had been doubled and even trebled, although their actual value had not been increased. The consequence of this was that £4,000,000 had been added to the gross value returned for the metropolis. If his proposition were accepted he believed the Government would receive, owing to the enhanced value of property in London, nearly as large an amount in property tax in 1876 as they received in 1871.

Mr. GOLDSMID begged to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. SCLATER-BOOTH said, he hoped his right hon. Friend (Mr. Hubbard) would withdraw his Bill, or consent to an adjournment for a long time. There was nothing in his statement peculiarly applicable to the metropolis. If it were right to charge property tax on rateable value instead of gross value in London, it would be equally right to do so in the country, and he apprehended there were few people who complained more of the property tax in that respect than the owners of land. The Government also had before the House a Bill in which it was proposed to consolidate the general law of the country as to valuation, and therefore the present Bill was inopportune. Besides, if they interfered with the rating under Schedule A they must also interfere with that under Schedule B, and thus upset a system which had been in existence for many years. He hoped his right hon. Friend would rest satisfied with having placed his views on this interesting subject before the House, and would consent to withdraw his Bill.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at
Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 1*st March,* 1876.

MINUTES.] — Public Bills — *Resolution in Committee — Ordered — First Reading* — Intoxicating Liquors (Scotland) * [91].

Resolution [February 28] *reported — Ordered — First Reading*—Telegraphs (Money) * [90].

Ordered — First Reading — Trade Union Act (1871) Amendment * [92].

Second Reading—Municipal Franchise (Ireland) [7], *put off;* Sea Insurances (Stamping of Policies) * [26]; Burgesses (Scotland) * [48].

Committee—Offences against the Person * [1]—R.P.

The House met at Two of the clock.

MUNICIPAL FRANCHISE (IRELAND) BILL—[Bill 7.]

(*Major O'Gorman, Mr. Butt, Mr. Richard Power, Sir Colman O'Loghlen.*)

SECOND READING.

Order for Second Reading read.

Major O'GORMAN, in moving that the Bill be now read the second time, said, that the object of the measure was to amend the law relating to the Municipal Franchise in Ireland. But before he proceeded to the consideration of the provisions of the Bill, he must be permitted to say that he deeply regretted that the task which he had risen to perform had not fallen to the lot of some one of the brilliant Colleagues by whom he was surrounded; and he was the more nervous because his hon. Friend the Member for Londonderry (Mr. C. Lewis) had given Notice of an Amendment to reject the Bill. He felt that he (Major O'Gorman) was not a foe worthy of the steel of the hon. Gentleman who was an accomplished rhetorician, and whose words, like Ulysses of old, flowed from him like honey: "Glukiern Melitos recu aude." He felt the difficulty of comparison with a Gentleman so highly gifted. Yet he was not completely discouraged. The great leader of the party to which he had the honour to belong had ordered him to take charge of the Bill, and he had obeyed. That House was the judge and jury, and he should be satisfied with its verdict. In proposing the present Bill he asked for nothing that was revolutionary, he asked for nothing that was even unusual, but he asked for that which all honest men believed to be just. He met daily with gentlemen who sought to draw him from the allegiance which he owed to his country, and they addressed him with this plea—"Your country now possesses all the rights and privileges which England possesses. What more do you require?" His answer was that he did not require more, and his countrymen asked for no more. But was it the fact that his country did possess those rights? He answered No; and he would instance in proof the difference which existed between the municipal franchise of the two countries. Was the municipal franchise of Ireland similar to that of England? Ireland was not upon an equality with England in this respect, as he should be able in a very few words to show. In 1835 the municipal corporations of England were reformed, and every person rated to the poor for three years became a burgess. In Ireland the reform of the corporations did not take place till 1840, and then the franchise was fixed at £10. This state of things still continued in Ireland, except in Dublin, for which a special Act was passed in 1850, assimilating the franchise there to the English franchise at that time, so that all persons who had been rated to the poor for three years should be burgesses. Three or four years ago, however, the franchise in England was lowered, and now, in England everyone who was rated was entitled to the municipal franchise; whereas in Dublin a man was not entitled to the privilege until, as before, he had been rated for three years; and in all other towns in Ireland there was no franchise under £10. A decided difference between the two countries was thus established. He would draw the attention of the House to the result of this difference, and would make a comparison between four towns in England and four in Ireland. He found that Leeds, which contained a population of 259,212, possessed 52,784 municipal electors, while Dublin, with a population of 267,727, had only 5,284. Again, Bradford, with a population of 145,890, had 24,450 electors, although Belfast, with a population of 174,418, had but 5,525. The number of municipal electors in Swansea, with a population of 80,772, was 8,692; while Cork, with a population of 100,518, possessed but 2,000 municipal electors. Gateshead, too, with a population of 48,267, had 10,221 municipal electors, while Limerick, with a population of 49,853, had no more than 1,139. That was to say that Leeds, with a population of 8,503 persons less than Dublin, had 47,200 municipal electors more than Dublin; that was to say that Bradford, with a population of 28,588 less than Belfast, had 23,927 more municipal electors; that was to say that Swansea, with a population of 19,746 less than Cork, had 6,692 more municipal electors; that was to say that Gateshead, with a population of 1,586 less than Limerick, had 9,112 more municipal electors. Could anything, he would ask, be more monstrous than the inequalities which those facts disclosed? He wished, in the next place, to call the attention of the House for a moment to one or two passages from a journal which was said to lead the people of England. *The Times* of the 23rd of April, 1874, speaking of the Bill which had been introduced by his hon. and learned Friend the Member for Limerick (Mr. Butt), for the purpose of assimilating the franchises in England and Ireland, said its provisions were conceived in a spirit absolutely antithetic to Home Rule—a sentiment which he was sure would give the greatest possible satisfaction to the hon. Member for Donegal (Mr. Conolly)—that its effect must be to make more real the fusion between the two parts of the Kingdom separated by St. George's Channel, and that it ought to recommend itself to all those who sought to render the political union between both as intimate as possible. Now, the present Bill proposed to make uniform the municipal franchise in all the towns in Ireland by extending to them the English franchise. He asked no more, and he certainly thought the people of Ireland were entitled to have their request granted. A similar Bill to this was read a second time in 1872, and also in 1873; but it did not proceed further for want of time. On those occasions it was supported by the Government of the day, though in 1874, when it was brought in again, it was opposed by the then Government, and it was thrown out upon the Motion for second reading. With those few remarks he begged to leave the matter in their hands. He left it to the justice and the honour of the House of Commons.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Major O'Gorman.*)

MR. CHARLES LEWIS said, that as a representative of one of the 11 corporate towns which would alone be affected by this measure, he rose to move that it be read a second time that day six months. But in doing so he would take occasion to say that the leader of the party to which his hon. and gallant Friend belonged had acted very wisely in selecting him to submit the question to the House; because while he recommended himself to hon. Members by his *bonhommie*, he had shown by his speech that day that he could not merely amuse them, but place his views before them clearly and forcibly. Now, as to the object of the Bill, it was said that it was intended to give to Irishmen the same rights as to Englishmen with regard to the municipal franchise. That, however, he maintained, was a misleading fallacy. The Bill, if it became law, would do a great deal more than assimilate the municipal franchises of the two countries; because, whereas in England the municipal franchise was carried only to the basis of the Parliamentary franchise, the proposal of his hon. and gallant Friend would carry it below that point in Ireland. For good reasons, as he believed, the borough franchise in Ireland extended only to the £4 householder; but this Bill would give every rated occupier the franchise, no matter whether his tenement was rated at 5*s.* or £10 per annum. The subject was one, he might add, on which the supporters of the Bill seemed never to have been able clearly to make up their minds. It was introduced in 1870, when a measure was brought in to carry the municipal franchise down to the £4 rated householder. That measure was, however, withdrawn; and no attempt at legislation on the subject was made in 1871. But in 1872 a Bill was introduced for the purpose of conferring the municipal franchise on rated householders of three years' standing, and this Bill was allowed to drop. In 1873, the hon. and learned Member for Limerick (Mr. Butt) brought forward another Bill—a 12 months' householder Bill—and this Bill also was allowed to drop. Throughout those years neither the hon. and learned Gentleman nor his supporters, it would appear, could make up their minds as to the specific propositions which they should adopt;—and now the basis of the franchise was to be lowered. But who asked for all those measures? Not a single Petition had been presented in favour of any one of them from 1870 until now. And why was that so? Because nobody, he believed, wanted legislation on the subject, and if he was not mistaken the present Bill was repudiated by one of the Liberal papers connected with the city which he had the honour to represent. But, whatever its merits or demerits, it was, at all events, a Bill which was not likely, as the others to which he had referred, to be abandoned, because he knew the pluck of his hon. and gallant Friend would lead him to fight the battle out to the end. It was, however, very important to see that there was no real demand for a measure that sought to transfer power from those who paid rates to those who scarcely paid any rates at all. His hon. and gallant Friend seemed to think that he had made out his case when he referred to the comparative population of English and Irish towns:—but that was only one element in the case. What about property? for the effect of the Bill, he contended, would be a practical confiscation. In the town of Belfast, for example—and he held in his hand the real facts of the case as stated by the town-clerk—there were 35,000 separate holdings, 25,000 of which were under the £8 valuation line, while there were 10,000 above it. Now, the 10,000 above the line paid in the shape of local rates £70,000 a-year, but the 25,000 below it paid only £15,000; in other words, if the present Bill were to become law, five-sevenths of the electoral power would be given to those who paid only three-seventeenths of the taxation; and it was no wonder, therefore, that although there was in Belfast a large amount of political activity, no steps had been taken in support of such a proposal. The question of the Parliamentary franchise was to be argued on a different basis, having to do with the making of laws and with considerations of Imperial policy: but municipal corporations were elected to raise local funds for executing local improvements; and they had to take care, in the first place, that they had good government; and, in the next place, that those who had to pay should have an influence over the mode of levying and expending the rates, and that power should not be engrossed by those who had little to do with paying. Although the landlord was rated for the lower class of houses, the tenant, who in many cases did not either directly or indirectly pay the rate, nevertheless had the vote. Yet, this Bill proposed not to enfranchise the landlord, but to enfranchise the occupiers of all those small tenements who, in nine cases out of ten, did not pay a farthing of the rates. In the City of Limerick the total number of tenements was 7,254, of which no fewer than 3,187 were assessed under 40*s*. a-year. The number of houses under £4—the Parliamentary line—was 4,681 out of the whole 7,254, or much more than one-half; so that in Limerick, as in Belfast, the preponderating voice as to what improvements should be executed at the expense of the ratepayers would by that Bill be handed over to the smallest class of householders, who not only contributed little or nothing towards them, but whose rates were paid by the landlord. In the City of Waterford there were 4,544 separate holdings, of which 1,878 were assessed under 40*s*. a-year; while the number under £4 annual value was 2,717. In the municipal borough of Drogheda there were 3,564 tenements altogether, of which 2,709 were under £4 annual value, and only 855 over that value. This Bill, therefore, would transfer from those who were liable to pay four-fifths of the rates and taxes in those corporate towns a preponderant power to those who practically paid only one-fifth of those imposts. He would ask the House was that fair? The assimilation of the municipal and Parliamentary franchises even in England had led to the introduction of politics into local affairs and to the driving out from the municipal councils in many boroughs of the *élite* of the community, because the legitimate influence of property, intelligence, and talent had been disregarded. Would they take the same course again in England if they had the opportunity? But the present Bill would reduce the municipal franchise in Ireland even lower than the Parliamentary franchise. It might be said that the Parliamentary franchise itself was one of the grievances of the supporters of that Bill. He would be prepared to argue that question also when it came before them; but as long as both Parties in that House, and the Governments which had been selected from them, had deliberately said that the time had not come when the borough franchise in Ireland should be exactly the same as it was in England, let them not take a step which, if they had it to do again in England, they would hesitate to take with the lights of present experience, and which would also involve that direct confiscation of existing rights which he had described. A statistical comparison between English and Irish towns was inapplicable unless it could be shown that there was the same relation between the small and the large tenements in the towns so compared. He denied that there was any Irish grievance in this matter, though he would admit that there might be some change in the municipal government of Ireland; but that change ought to follow the lines of enfranchisement traced in the measure of the hon. Member for Carlow (Mr. Kavanagh)—though he would not commit himself to all its details—rather than those of the present Bill, which he earnestly called on the House to reject. The hon. Member concluded by moving the rejection of the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Charles Lewis.*)

MR. COLLINS said, he thought the hon. Gentleman who had just sat down (Mr. C. Lewis) had failed to give sufficient reason why the law of England and Ireland should not be equalized in respect to the municipal franchise. The hon. Member had told them that the introduction of the humbler class of householders would have the effect of swamping the present municipal constituencies of Ireland, and that, moreover, they would be incapable of properly controlling the management of municipal funds. He (Mr. Collins) denied that assertion, and observed that the tendency of legislation since the commencement of the present century had been to confer privileges on the lower classes and enable them to participate in the privileges and rights possessed by those above them. The present Prime Minister conceded the principle of this Bill when he admitted all male householders in English boroughs to the Parliamentary as well as to the municipal franchise:—and he did not believe that right hon. Gentleman regretted the step he had taken, or would think of retracing it if he had the opportunity, for to that step he owed in a great degree his present high position. It was neither wise nor expedient to deny the humbler householders a voice in the management of local matters seriously affecting their interests and comforts. In the 11 Irish towns which had been referred to, only one in 40 of the population possessed the franchise; whereas in similar towns in England, the proportion was one in eight. There was one point in the question which had not been sufficiently ventilated. A working man in an Irish town who was rated at 20*s.*, probably occupied a tenement for which he paid a rental of 50*s.* or £3. If that same man came to England and found employment, he would immediately enter on the occupancy of a tenement for which he would pay, at least, £8 a-year. It was easy to explain why in Ireland in all probability a man of that class would receive wages amounting to 15*s.* a-week, out of which he would pay 50*s.* or 60*s.* a-year for his tenement; but the same man coming to this country would receive 24*s.* to 30*s.* a-week; so that he could afford to pay 3*s.* a-week for his house. So that the man who was denied the franchise in Ireland was admitted to it in England, not by reason of any improved mental qualification, but simply because he received higher wages and could therefore pay a higher rent. There was another point. Suppose you wanted to raise £100 upon a valuation of £2,000 in Ireland, 1*s.* in the £1 would give the requisite amount, but suppose for the purpose of raising this £100 you should value the tenements at £4,000, that would give you an apparent reduction to 6*d.* in the £1. Therefore mere rating was not a sufficient ground to go upon in deciding this question. The opposition now raised to that Bill was but another illustration of the old story of one class being possessed of privileges and desiring to withhold a share of them from another class. The last speaker asked whether, if they had to do over again what they had done in England in that matter, they would not hesitate to do it? The Prime Minister could answer that question, for he had enfranchised the people of England, and he now enjoyed their confidence as the result of his liberality.

MR. KAVANAGH said, he opposed the Bill on the ground that, not only were many of its provisions bad in themselves, but also because he regarded it as part of a mischievous attempt for dealing with the question. It must be considered in connection with another Bill before the House. What was the real object of the Bill? The avowed object was set forth in one of the clauses as being "with the object to lower the franchise." Now, that was explained in connection with a Rating Bill, and, so far as he understood the question, it appeared to him that the purpose in view was to give the occupiers all the votes, and oblige the owners to pay all the rates. He did not know whether he interpreted the motives of the promoters truly; but certainly, as far as he had been able to read and understand the two Bills, taking them together, that appeared to his mind to be the meaning. Now, they had heard a good deal about the assimilation of the laws of England and Ireland. He was not opposed to that assimilation; but he was not one who thought that the institutions of England should be forced upon Ireland, merely because they existed in England. They should first consider the circumstances of the case. He hoped the House would not allow itself to be led away by the plausible cry that had been raised for assimilation without pausing to ask what was proposed to be done towards assimilation by passing the Bill. He denied that any assimilation would take place under it. He need not go into the matter of franchise in the two countries. That part of the question had been ably dealt with by the hon. and learned Member for Londonderry (Mr. C. Lewis.) But the assimilation of which they had heard was only a delusion and a snare. It was assimilation in theory, but not in fact. By the Bill they would have a large increase in the number of persons who should be admitted to the franchise. But there would be a great difference in the character of the class into whose hands the control of municipal expenditure would be thrown. The hon. Member who last spoke said the reason why opposition was offered to the Bill was on account of class feeling, because one class desired to keep to itself certain privileges which they ought to share. Now, that he utterly denied; but he did say that the Bill made an endeavour to get up a feeling in the minds of the people that there was an attempt to deny them certain privileges which it was held they should have. He was not opposed to a proper extension of the municipal franchise where it could be granted. He fully admitted the principle that taxation and representation should be coequal. But they could not stop half way with the principle. He maintained that the men who paid the larger portion of the rates should have the larger control over the expenditure of those rates—a larger control than men who paid only a small portion of the rates. Now, those questions should not be started merely for Party purposes. What was asked for was not a fair extension, but a one-sided extension. Last Session an attempt was made to deal with the question; but when he recalled all the circumstances he must say he was convinced that the purpose with which the Bill was concocted was to swamp the representation of property, and to put the whole power connected with the dealing with large rates into the hands of the lower classes. Now, that was not a method of proceeding which should be sanctioned. The hon. Gentlemen who sat upon the other side would not object to take this advice from the hon. Member for Hackney (Mr. Fawcett.) What had he said?

> "It must never be forgotten that there are two ways by which people can be deprived of representation—one, by keeping the right to vote from them; the other, by placing them in so hopeless a minority, that virtually they must be without representation."

Recognizing the all-importance of the truth that true democracy consisted in securing as far as possible the representation, it followed that if the most intelligent sections of opinion were unable to obtain representation, many of the best men in the country would naturally withdraw themselves from political life, and thus the representation would surely and steadily deteriorate. That would be the result of passing such a measure as this. He believed this precipitate and indiscriminate extension of the municipal franchise would lead to an utter disruption of all good municipal government. Take, then, sanitary matters. The Sanitary Commissioners reported that the evidence before them showed abundant proof that sanitary reforms were in many cases rendered impossible, because of the hostility of the inhabitants of towns. The clause contemplated by the Bill would assuredly create difficulties in the way of sanitary reform. But he was not opposed to inquiry with a view to enlarge the constituencies upon just principles. He should desire to see the whole question of municipal reform inquired into by a Commission who should sift it thoroughly; but a Bill like this would stand in the way of such a project, and he therefore hoped the House would reject the Bill.

MR. BUTT said, with reference to the Local Government in Towns (Ireland) Bill, he would express a hope that the British House of Commons would never pass a Bill which would give the nomination of one-half of the corporation of every town in Ireland to the landlords. He could not congratulate the hon. Member for Londonderry (Mr. C. Lewis) on the accuracy of his statement as to the history of that question. The hon. Gentleman had spoken of the lowering of the municipal below the Parliamentary franchise as if it were something new in England—he seemed, indeed, not to know that there had ever been a difference between the municipal and Parliamentary franchise in this country. Now, in 1832, the Reform Act fixed the Parliamentary franchise, both in England and Ireland, at £10 in boroughs. After that, in 1838, a Corporation Reform Act was passed for England, which did not place the municipal franchise on the level of the Parliamentary franchise, but gave it to every occupier who had been rated for three years. [Mr. C. LEWIS said, he had made no reference to England, but to the state of things in Ireland at that time.] The hon. Member had certainly appealed to the House not to do for Ireland what had never been done in England, and not to degrade, as he called it, the municipal franchise below the Parliamentary franchise. The real *animus* of the opposition to this Bill was revealed in the question of the hon. Member, when he asked if in the same circumstances they would do the same thing for England. This was the reactionary principle avowed by the hon. Member, and it was evident that he would, if he dared, deprive England of her popular municipal franchise also. As for his own part in the matter, he had steadily persevered in the endeavour to obtain for Ireland the same municipal rights as England enjoyed, and if he had supported on any previous occasion a less radical measure than the present, it was simply with the view of obtaining a part, if he could not get the whole of what he wanted. The extension of the franchise in Dublin had not produced any disastrous results. Since that event 25 Lord Mayors had been elected, and of these 12 were Protestants and 13 Liberals and Roman Catholics. This fact surely went to prove the existence of a spirit of moderation among the class whom it was now proposed to enfranchise. It was contended that under the Bill property would not have its due share of representation, and that under it the power would pass into the hands of the smaller householders; but he ventured to say that this was the case in every English corporate town: and it was neither a Conservative nor a constitutional principle that a preponderating influence should be given to property, either in the House of Commons or in their municipal bodies. Property, intelligence, and rank would always command influence, and it was a mistake to suppose that the poor were not as much interested in taxation as the rich—a penny might be worth as much to the artizan as a pound to his wealthy neighbour; and seeing that no people in the world were more Conservative than the Irish—more ready to pay due deference to rank, ancient lineage, wealth, and station—it was unreasonable to deny them the privilege proposed to be conferred on them in the Bill. All they asked for was an assimilation of the Irish municipal franchise to that of England, which had been recognized as one of the chief causes of the tranquillity and contentment of this country; and on what ground it could be maintained that the cases of the English and the Irish artizan were different he failed to see. He would remind the House that the power of taxation of Irish corporations did not go beyond 3*d.* in the pound. The poorer classes had just as much interest, or more, in keeping down rates as the wealthy, and it was absurd to suppose that they would first confiscate their own property in order to confiscate the property of the rich. The Irish people, when they expressed dissatisfaction with the existing state of things, were often told that they lived under the same Government and enjoyed the same privileges as the people of England, but that was not the case. An artizan of Limerick who went to reside in Liverpool, and having resided there for the space of one year, could, if he contrived at all to keep a house over his head, take a part in municipal elections. After a time, however, he returned to Limerick, and then found he could not exercise any such privilege there until he had resided for three years in a house rated at £10. Did they think that man would not contrast the liberty which he enjoyed in the English town with the curtailment of liberty which he suffered in the Irish town, and at the same time contrasting the prosperity which he had seen in Liverpool with the poverty which prevailed in Limerick, come to the conclusion that these several conditions of things had not some dependence on each other? The municipal franchise which had succeeded in England would no doubt succeed in Ireland too; and he warned the House that if they rejected this measure, they would impress the belief on the minds of the Irish people that England was determined still to govern Ireland in the old spirit of conquest, and so they would promote that feeling of discontent which he and those who acted with him had done their best to allay.

MR. MULHOLLAND said, those who supported the Bill had failed to prove that there was any real practical grievance to complain of. They had on the previous day heard of practical grievances in connection with English corporations, arising out of existing anomalies; but in the present case the arguments were altogether founded upon a wish to produce an idea of symmetry which commended itself to hon. Members on the other side of the House. They proceeded upon the principle that in all cases the legislation should be the same as the legislation in England. That had not always been the principle upon which legislation was asked for in that House—it was not many years since very important measures were passed in reference to Ireland which were founded not altogether upon a principle of identity. The hon. Member for Londonderry (Mr. C. Lewis) had referred to Belfast, and the hon. and learned Member for Limerick (Mr. Butt) had controverted some of those statements. The hon. and learned Member must have been misinformed, when he stated there was a compact on the part of Belfast for a private Bill to enlarge the franchise there. If he (Mr. Mulholland) recollected the circumstances, it was rather this—that there was an understanding made that the rates upon the lower division of the ratepayers should not be raised beyond a certain point. The hon. Member for Londonderry had brought out so forcibly the effects which the change would have upon Belfast, that it was unnecessary for him to repeat his observations; but there was one point which the hon. Member for Londonderry did not allude to, and that was that the amount of the rates upon the different owners in Belfast were very limited. Not only were those which were rated below the £8 so situated that, though only paying one-fifth of the entire amount of the rates, whilst numbering five-sevenths of the whole in point of number, but the amounts were very much less than the rate paid by the higher class. One effect of the change proposed in the present Bill would be that the rates would be assimilated—and he questioned very much whether that class for which the hon. and learned Member professed so strong a sympathy, would conceive it a boon if their rates were nearly doubled. He found that the police rate upon houses below the £8 franchise was only 9*d.*, and above that 1*s.* 9*d.* in the pound. He also found that the general purposes rate was 1*s.* 6*d.* upon the class below £8, and the class above that 2*s.* in the pound. Therefore, there was a very substantial equivalent to those who, under the present franchise, were not directly represented. But, further, the rates were only contributed by those who had the franchise. The rates upon houses below £8 were in all cases paid by the owner, and not by the occupier—he did not say that, indirectly, the owner did not get it in the rent. What was the result of the present system in Belfast? He believed everyone who had visited Belfast would be struck with the extraordinary development of the town, and that was mainly owing to the good arrangement of the present Town Council. They had opened new works, new streets, and had otherwise developed the town in a most satisfactory way. He was not himself intimate with the state of affairs in Dublin, but he heard that the result of the lowering of the franchise there was not satisfactory. In Dublin the franchise was similar to that in English boroughs; and they saw that Belfast had improved vastly under the present system, and he believed it would be found practically that the higher franchise gave more satisfactory results than the lower one. But this was a very broad question. It took up the whole question of local government and local taxation—for the duties that were at present entrusted to municipal corporations were very much more extensive than they were at the time when they were first entrusted to them. It was only last year, or the year before, that the right hon. Baronet (Sir Michael Hicks-Beach) introduced a Bill on the principle that the ownership of property had an equal source of weight with the occupancy of property. The reason of the same principle being applied to municipal corporations was that the functions of corporations were not limited to paving, lighting, and watching; but were extended to matters of large sanitary improvements, the purchase of gas and water works, &c. This carried the interest far beyond that of a mere occupant. In such a case, it was only just that those upon whom the reversion fell should have, at least, an equal voice in the expense. The hon. and learned Member for Limerick had taken the hon. Member for Londonderry to task, for stating that probably if the municipal corporations of England were to be again founded they would probably not be founded on the same principle as to representation. He shared with the hon. Member for Londonderry that belief. He hoped that in the interests of Ireland the House would not pass the Bill, but prefer that of the hon. Member for Carlow, which embodied the principles he had mentioned.

MR. LAW said, he was unable to discover that any good reason had been advanced for making a distinction between Ireland and England in the matter of the municipal franchise. It was quite plain indeed that the objections of hon. Members opposite applied equally to England and Ireland. They seemed in fact to mourn over the course of municipal legislation for the last 40 years, and now to desire to undo what was deliberately done as far back as 1835; for since that time the municipal franchise in England had been an occupation rated franchise, as proposed for Ireland by the present Bill. It appeared to him to be extremely desirable that in all cases where no special reason for difference could be shown, the laws of the two countries should be assimilated. What was good for England ought, generally speaking, to be good for Ireland also; and, in his opinion, ought to be provided for both countries, if possible, by one and the same Act. It had indeed been urged by his hon. Friend who had just spoken as a reason for not extending the municipal franchise in the way proposed, that sanitary powers had been conferred of late years on municipal authorities. In his view, however, that was rather a reason why the franchise should be made as wide as possible, for the poor man was at least quite as much interested in sanitary matters as the rich. He must say too that he agreed with his hon. and learned Friend the Member for Limerick that municipal corporations were not to be regarded as merely money-spending bodies, whose only business was with such matters as paving and lighting. They were also centres of political life and energy; and he should fear for the political life of a country whose municipal institutions were so reduced, perhaps, he might say degraded, as to exist merely for the purposes to which some hon. Members would restrict them. He should for these reasons give his support to the Bill.

Sir ARTHUR GUINNESS: Sir, I do not see that any advantage could arise from the passing of the proposed Bill. Some remarks have been made as to the excellent manner in which the municipal affairs of Belfast are managed, but I am sorry to say I cannot speak so favourably on behalf of the Corporation of Dublin as regards its works of usefulness. The principal citizens of Dublin and the largest ratepayers are, I am bound to say, altogether dissatisfied with the corporation. The taxation of Dublin is almost unprecedentedly heavy, and it is increasing. The duties of the corporation, I am sorry to say, are to a great extent neglected. Very often when most important business is to be brought before that body, the roll is called and a quorum is not present. I also regret to say when politics are to be brought before the corporation there is a full attendance. How the reduction of the period of occupation from three years to one would improve the state of things I am at a loss to know. In the other boroughs it is proposed to reduce the qualification from £10 to what it is now in Dublin, which is practically a household franchise. In Dublin the number of separate ratings at and under £8 is 10,598, or 40·6 per cent of the whole, and their total valuation is £45,961, or 8·3 per cent of the whole; while the number of ratings over £8 is 15,519, or 59·4 per cent of the whole, and their total valuation £509,147, or 91·7 per cent of the whole, so that in Dublin the payers of only 8·3 per cent of the taxation may possess 40 per cent of the votes. In the other 10 municipal boroughs the number of ratings over £8 is 20,063, valued at £639,843; whilst the number of ratings at £8 and under is 52,470, valued at £183,003, so that the proposed reduction of the qualification will confer the franchise on a body of new electors two and a-half times greater than the number of existing electors, although they will only pay one-fourth as much of the taxes. In fact, the payers of less than one-fourth of the taxation will possess three-fourths of the votes. Theoretically it may be desirable that every man should have a vote; but I do not see why property should not have its due weight in the administration of municipal affairs. Therefore, I must oppose the measure now before the House, and I entreat the House not to pass it, inasmuch as we have in Dublin an example of what may be expected in other corporate towns in Ireland if the change proposed by this Bill be made.

Mr. M. BROOKS said, Dublin, in some respects, reminded him of the conditions of Venice, from which the greater part of the resident gentry had departed, and if its houses were not left in ruins, the city was, at least, nearly desolate. In Belfast, under the auspices of what he would not say was the dominant race in Ireland, but certainly the favoured race, prosperity had fallen in a very remarkable degree, and the population had increased, whereas in Dublin the population had fallen away. With regard to what had been done by the corporation of Dublin, he might refer with pride to the waterworks of that city. A supply of the purest water was brought from a distance of nearly 50 miles, and distributed, not merely in the city, but in the district around. In the whole world there was not a better or more efficient supply of pure water than that which had been secured to Dublin by the Corporation. He admitted that the condition of the sewerage and the streets would not bear comparison with Belfast or London; but that was not owing to any want of desire on the part of the Corporation to do what was needed. No one could venture to say there had been any malversation or misappropriation of money in Dublin. Indeed, he had heard the charge made of undue frugality, and with a desire to refrain from spending money. They had power to borrow from the Government £500,000, but they refrained from exercising that power, because they believed the poorer ratepayers were unable to pay the interest. With regard to the loyalty of the Corporation, he had been a member of it for 20 years, and he had never heard political opinions advanced in it unworthy of any assembly in the United Kingdom. He had never heard within the City Hall a single disparagement of the Government or person of the Sovereign, nor had he ever heard any political proposition advanced which he could have wished withdrawn.

Sir ARTHUR GUINNESS rose to Order. He had never said there was any exhibition of disloyalty in the Corporation.

Mr. M. BROOKS did not suppose his hon. Colleague had, for it would have been impossible. But the hon. Baronet did say that the extension of the franchise would make the Corporation exclusive. He utterly denied that that had been the experience of the past—he asserted that the affairs of the Corporation were as well administered as those of any similar institution in the United Kingdom.

Sir MICHAEL HICKS-BEACH said, he hoped they would be able to discuss this question without travelling beyond its proper limits. The question before them simply was, whether in 11 Irish towns a change should be made which would greatly affect the constitution of the bodies charged with the administration of municipal government and with the power to levy local taxation. The hon. Members who promoted the Bill proposed so to lower the franchise that it would let in a large number of additional voters of the poorer class. The Bill started on the principle stated in the Preamble—namely, that it was expedient and just that the municipal franchise should be the same in Ireland as in England. But he thought it would be admitted by the House that before they could arrive at that conclusion they should be satisfied on one or two points which did not appear to have been clearly proved in the debate. The first of these was, Had the action of the Legislature in past times with regard to municipal institutions in England and Ireland been identical? Secondly, was the prevailing system of town government in England and Ireland, except with regard to the amount on which the municipal franchise was fixed, identical? and, third, were the circumstances of the people of these towns identical in both countries? The hon. and learned Member for Limerick (Mr. Butt) had referred to the Municipal Reform Act for England of 1835 and the Municipal Reform Act for Ireland of 1840, and to the English and Irish corporations as they existed before that day. The system before that time was to a great extent identical, for there could be no doubt that the municipalities before those Acts were passed were close corporations in both countries, and that neither householders nor occupiers within the municipal boundaries had, as such, anything to do with the choice of those who were to govern them and spend their money. The Municipal Reform Acts brought about a different state of things in both countries; but they brought it about in a different way. Last night they had a debate on unreformed corporations, from which it appeared how tenderly the English Act dealt with the rights of corporations existing before its passing, and there were now 78 corporations, besides the great Corporation of London, which were entirely exempt from its provisions. What was the case with regard to the Irish Act? It absolutely swept away all the corporations then existing in Ireland, and provided for the re-establishment of 10 of them. It provided further that every town desiring in future to become a municipality could apply for a charter to the Government. Now, what led to that difference between the Irish and English Reform Acts—a difference deliberately made by Parliament? The English Act was intended to inaugurate a new system of town government for towns in England as a whole, and with rare exceptions it had been applied to all important towns. But in Ireland at the time of the passing of the Irish Act, there was in operation the Act of 9 Geo. IV., under which several towns had placed themselves, which instituted a different system of town government from that which was established by the Irish Municipal Reform Act, and was based on a more popular qualification. Since that date what had happened? He had said that only 10 Irish towns were by the Act made municipalities, and that power was given to others to come in; but since 1840 only two applications for charters had been made, one of which had been granted and the other refused. He thought this circumstance, added to the fact that not fewer than 30 Irish municipalities had, between the Union and the Act of 1840, expired of inanition, proved that the municipal system, which was an English and not an Irish system, was not very popular in Ireland. In 1854 the Towns Improvement Act, the provisions of which were very similar to those of 9 Geo. IV., already referred to, was passed, and it had been adopted by no less than 76 Irish towns, and many of these towns were more thriving and important than some of those which were covered by this Bill. He thought that this proved that the Act of 1854 was more popular or more suitable to Ireland than the Municipal Reform Act, and that when they proposed simply to alter the franchise laid down by the latter Act they did but touch a small part of the question. Neither of the franchises which existed under the old Acts were so low as the qualification proposed under the present Bill; that fixed by the Act 9 Geo. IV. being £5, and that under the Towns Improvement Act £4. There was under one of these Acts an owners' franchise; but it seemed that the hon. and learned Member for Limerick objected to that, when embodied in the Bill of the hon. Member for Carlow.

Mr. BUTT said, he did not object to that. He objected that the landlords were allowed to name one-half of every corporation.

Sir MICHAEL HICKS-BEACH said, he very much sympathized with what the hon. and learned Gentlemen said with regard to the proposal that the owners should select half of the corporation; but the owners' franchise was no new thing. He ventured to say that, viewed in this light, the Bill now before the House dealt imperfectly and but very partially with the franchise. He had endeavoured to show that in past times Parliament had dealt differently with town government in Ireland and England, and consequently there was a different system existing in the two countries. He would now proceed to the more important point —as to how far the circumstances of the two countries were so identical that they could pass identical legislation for both. Viewing the legislation which had taken place, the presumption was that they were not identical. The hon. Member for Londonderry (Mr. C. E. Lewis) showed that there was a great difference in the circumstances of the occupiers in the Irish towns as compared with those in England. It was a matter of regret, but it must be admitted that there was not in Ireland, as there was in England, a large and influential middle class between the higher and lower class of occupiers. Comparisons had been made by the hon. and gallant Member (Major O'Gorman) between English and Irish towns; but he (Sir M. Hicks-Beach) wished to carry that comparison a little further on a Return issued in 1872, on the Motion of the noble Lord the Member for King's Lynn. The hon. and gallant Member had compared Gateshead and Limerick, and had stated that Limerick, with a nearly equal population, had a much smaller number of municipal voters than Gateshead. No doubt the figures had been stated correctly; but the circumstances of the two places were materially different. He found that in Limerick the occupiers not exceeding £4 value were, in 1872, 5,094, and the number above that value were 1,732. In Gateshead, which the hon. and gallant Gentleman selected by way of contrast, matters were precisely the reverse. The number of occupiers below £4 was 1,654, and above that sum, 5,556. And yet they were asked to consider the circumstances as identical, and to establish an identical franchise. The hon. and gallant Member had, in the same way, compared Swansea and Cork; but in Swansea, in 1866, the occupiers under £4 were 2,601; above that sum, 8,100. In Cork, in 1872, there were, under £4, 6,732; above £4, 6,013. He could go on quoting figures telling the same tale. Any hon. Member who had seen an ordinary Irish town knew full well the miserable cabins which clustered on the outskirts, and nothing could be found to compare with these tenements, as a rule, in England. He found in Kilkenny that 69 per cent of the total number of separate ratings were below the annual value of £4. In Drogheda the proportion was 75 per cent, and in Waterford 54 per cent below that value. If he were told that Irish valuation was below the real value, and that £4 represented a higher figure, he would ask the House to consider what sort of a tenement a £1 valuation, be it high or low, could be considered to represent; and to remember that 27 per cent of the separate ratings at Kilkenny and Drogheda, and 13·9 per cent of them at Waterford, did not exceed even that figure. It was said this argument must not be pressed, and that higher wages here had something to do with the difference; but if higher wages meant a better house, they also meant, as a rule, greater intelligence and independence than could be found among the occupants of these wretched cabins. The effect of the Bill would be to greatly enlarge the number of municipal electors in Ireland belonging to this class. In Dublin the municipal electors would be increased from 5,500 to 16,000, and in eight other boroughs from 5,000 to 23,000. Figures like these showed that the measure would have a very large influence in determining the government of the Irish municipalities, and with regard to the taunt that those who opposed this Bill begrudged the extensions which had been made in England, he thought he need not deal with that. The question was not what was good for towns' government in England, but what was good for it in Ireland, and on that issue only he trusted the House would now decide. His hon. Friend (Sir Arthur Guinness) had touched upon a subject which disclosed some difference of opinion between him and his Colleague; and although it was not for him to decide whether, under the present system, Dublin was efficiently governed, he was bound to say when his hon. Friend (Mr. Maurice Brooks) compared that charming city with a city on the Adriatic, he thought he was going to carry out his comparison by reference to the odours which, at certain times of the year, were but too perceptible on certain waterways in both cities. When his hon. Friend spoke of so many tenements being desolate, he could not but remember that perhaps the dislike of capitalists to invest their money in improvements might be the very heavy rates which, from whatever cause, were levied by the municipal authorities in Dublin. He would not say whether Dublin was efficiently governed, but he had noticed that the duties of lighting, cleansing, and mending the streets were not very efficiently performed. ["No, no!"] Well, writers of all kinds of politics, from *The Daily Express* to *The Freeman's Journal*, were unanimous on this subject. He fully admitted the importance of accustoming all classes of the people to the management of local affairs and the valuable character of that self-education. He did not defend the present limit of the Irish municipal franchise. He should be glad to see it lowered, but he ventured to say a far more pressing question with reference to town government in Ireland than the extension of the franchise was the existing composition and efficiency of the bodies who controlled those towns. They ought to attempt to inaugurate municipal reform in Government as well as in the franchise; and if the whole subject were carefully considered, it was possible that both objects might be attained through the adoption of a system of local representation, which had been carried out of late in this country with satisfactory results. He meant the cumulative or minority system, under which the School Boards and some Members of that House were elected. He noticed in the Bill of the hon. Member for Carlow (Mr. Kavanagh) proposals which were absent from that of the hon. and gallant Member for Waterford (Major O'Gorman), substituting for a complicated and varied system of town government a system which had at least the advantage of being uniform. He (Sir M. Hicks-Beach) wished to see the whole question dealt with in an impartial spirit by the House, and therefore he trusted the House would not agree to the Bill, but that it would adopt a Motion which, in the event of the rejection of the Bill, he proposed to place on the Paper this Session, as he did last, for a general inquiry into the system of local government of towns in Ireland. He thought that this course was one which might result in the adoption of a change which would be free from the objections to which he considered the Bill now before them was liable—a change which would at the same time widen the basis on which these local institutions rested, and attract to the work of municipal administration the talent and the ability of the community.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 148; Noes 176: Majority 28.

Words *added:*—Main Question, as amended, put and *agreed to.*

Second Reading *put off* for six months,

SEA INSURANCES (STAMPING OF POLICIES) BILL—[BILL 26.]

(*Mr. Serjeant Simon, Mr. Hubbard, Mr. Norwood, Mr. Rathbone.*)

SECOND READING.

Order for Second Reading read.

MR. SERJEANT SIMON, in moving that the Bill be now read the second time, said, its object was to remove a serious evil. Where there were several distinct interests insured in one policy, and the stamp duty had been paid upon the aggregate, and had not been calculated upon each of the separate interests, the policy would not be available in any Court of Law or Equity, but for all practical purposes would be absolutely void, if the stamp duty upon the separate interests exceeded what had been paid upon the aggregate. The insurer was not even allowed to cure the error by payment of the correct amount. Now it continually happened that the separate interests were not ascertainable, where there were several shipments from abroad, until the last shipment had been notified to the correspondent here, so that the law as it now stood imposed an impossible duty. The object of the Bill was to remedy this defect. It would enable the merchant, who had insured on a time policy on the aggregate amount of the shipments, and had stamped his policy accordingly, to cure any deficiency by stamping it correctly within a reasonable time after the separate interests of the shipments had been ascertained.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Serjeant Simon.*)

THE CHANCELLOR OF THE EXCHEQUER thought everybody would agree that the object of the Bill was a good one. The Treasury had communicated with the Board of Inland Revenue, and they had inserted certain alterations in the Bill, which he believed the hon. and learned Gentleman would accept. Under these circumstances, the Bill had the hearty support of the Government.

Motion *agreed to:* Bill read a second time, and *committed* for *To-morrow.*

BURGESSES (SCOTLAND) BILL.

(*Mr. M'Laren, Mr. Anderson, Mr. Yeaman*).

[BILL 48.] SECOND READING.

Order for Second Reading read.

MR. M'LAREN, in moving that the Bill be now read the second time, said, that in England the word "burgess" and "householder" were equivalent and convertible terms. It was so once in Scotland; but now burgesses had dwindled down to a comparatively small number, and the charities and other advantages connected with the burgesses were now monopolized by comparatively a few persons. The object of this Bill was to assimilate the law of Scotland to that of England, subject to this qualification, that, whereas by a recent Act a burgess in England required only one year's residence, the Bill before the House required three years residence, and required also not only that the poor rates should be paid, but that rates of every kind should be paid. Under these circumstances, he hoped there would be no objection to the second reading of the Bill. He had taken an opportunity of consulting the Lord Advocate, and he understood that his Lordship had no objection, but believed it to be a good Bill, and worthy of passing the Legislature.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Laren.*)

MR. ASSHETON CROSS said, he did not think it right that he should allow this Bill to be read a second time in silence in the absence of the Lord Advocate. He did not actually know what the views of the Lord Advocate were upon this matter, and therefore he should reserve his opinion on the Bill until it came before Committee.

Motion *agreed to;* Bill read a second time, and *committed* for *Friday.*

OFFENCES AGAINST THE PERSON BILL—[BILL 1.]

(*Mr. Charley, Mr. Whitwell.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Charley.*)

MR. P. A. TAYLOR said, the real object of this Bill was concealed by a new name, and to that extent it was misleading—more especially as there was another Act in existence which was known by the same title. It was formerly called the Infanticide Bill; now it was entitled Offences against the Person. It had been well described as a Bill to imprison a woman because she was not in her mind. He had received a number of letters from ladies who said that women should not be held responsible for the injuries they might inflict upon their children at the time of their confinement, because their agonies distracted them, and there was something painful in the idea of an Assembly composed entirely of men, and elected by men, legislating with such severity for the other sex. The crime against which this Bill was directed could not be stamped out by legislation. You might as well attempt to get rid of the smallpox by cutting out each pustule as to get rid of this disease in society by brutal repression. The hon. Member concluded by moving the postponement of the Committee to that day six months.

Amendment proposed to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. P. A. Taylor,*)—instead thereof.

MR. CHARLEY said, he hardly expected that the Bill would come on that day, and if the House assented to the Motion for leaving the Chair he would consent to the reporting of Progress at once, so that more time might be given for consideration. The object of the Bill was to protect poor helpless children. This was the fourth time that it was presented to the notice of the House. In three previous years it passed the House without any opposition, and he could not understand why the hon. Member (Mr. P. A. Taylor) at the eleventh hour opposed it. The Bill was not open to the objections which had been raised by the hon. Member, because it could not touch women who inflicted injuries on their children during puerperal mania, because the acts which it would punish must have been done maliciously. The Bill rested on the authority of a Royal Commission composed of some of the most distinguished Members of the two Houses of Parliament.

SIR EDWARD WATKIN said, that human nature was outraged by this Bill, and he should oppose it at every stage.

MR. STAVELEY HILL also opposed the Bill as an attempt to deal with a small part of a large subject.

MR. DODSON suggested that the Bill had better be postponed at once, because there was not time on that occasion to discuss this subject.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 108; Noes 82: Majority 26.

Main Question put, and *agreed to.*

Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again upon *Friday.*

Then other Orders of the Day being taken—

It being Six of the clock, Mr. Speaker adjourned the House till *To-morrow,* without putting the Question.

TELEGRAPHS (MONEY) BILL.

Resolution [February 28] *reported,* and *agreed to*:—Bill *ordered* to be brought in by Mr. RAIKES, Lord JOHN MANNERS, and Mr. WILLIAM HENRY SMITH.

Bill *presented,* and read the first time. [Bill 90.]

INTOXICATING LIQUORS (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to the sale by retail of Intoxicating Liquors in Scotland.

Resolution *reported*: — Bill *ordered* to be brought in by Sir ROBERT ANSTRUTHER, Mr. DALRYMPLE, Mr. MAITLAND, and Mr. EDWARD JENKINS.

Bill *presented,* and read the first time. [Bill 91.]

TRADE UNION ACT (1871) AMENDMENT BILL.

On Motion of Mr. MUNDELLA, Bill to amend "The Trade Union Act, 1871," *ordered* to be brought in by Mr. MUNDELLA, Mr. THOMAS BRASSEY, Mr. JACOB BRIGHT, and Mr. MORLEY.

Bill *presented,* and read the first time. [Bill 92.]

HOUSE OF LORDS,

Thursday, 2nd March, 1876.

MINUTES.]—PUBLIC BILL—*Second Reading—Referred to Select Committee*—Ecclesiastical Offices and Fees (3).

ECCLESIASTICAL OFFICES AND FEES BILL.—(No. 3.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE ARCHBISHOP OF CANTERBURY, in moving that the Bill be now read the second time, said, their Lordships would remember that last year he introduced a Bill which dealt with a portion of the difficult question of Ecclesiastical Fees. It provided that all persons hereafter appointed to any of the offices treated of in this Bill should hold the same subject to such regulations as to fees as might hereafter be made by Parliament and should make the returns to the Treasury of the amounts they received. While the Bill was under discussion the noble and learned Lord upon the Woolsack declared that he concurred in a hope expressed by the right rev. Prelate the Bishop of Carlisle that that small Bill might be regarded as a solemn pledge that the whole question of fees would be dealt with without delay; and he (the Archbishop of Canterbury) also expressed his concurrence in that view. In 1872 a Bill, of which the noble Earl (the Earl of Shaftesbury) took charge dealing with the whole question, was carried through this House, but did not make progress in the House of Commons; and that measure was in succession to Bills, having the same object, introduced in 1870 and 1871, one of which was the product of the labours of a Select Committee of their Lordships' House. Their Lordships would therefore see that the question was not a new one, that it had been very thoroughly considered, and that there was great difficulty in passing any measure with regard to it. It would give some idea of the difficulty and complication of the question with which they had to deal when he stated that as he was informed there were more than 100 Acts of Parliament relating to ecclesiastical offices, and that about 60 of them were still in full force. The present measure, so far as it dealt with ecclesiastical offices and fees, was as much as possible a reproduction of the well-considered Bills introduced in the previous Sessions by the noble Earl (the Earl of Shaftesbury), to whom all who took an interest in the question of ecclesiastical fees were so much indebted. But first their Lordships must consider for a moment whether it was wise or necessary to press any measure upon the Legislature on this subject. It was an opinion not uncommonly held by those who had not looked into the matter that the whole of the offices to which this Bill referred were sinecures, that the duties performed by the persons who held them were of no use to anybody, and that the sooner the whole system fell to pieces the better. But he thought that those who had examined the question would be of opinion that the offices proposed to be preserved in this Bill were necessary for the welfare of the Church and the community, and that in seeking to regulate and to diminish the number of these offices he was undertaking to make really effective an important part of the machinery of the Church. He need hardly point out that when a young man was ordained to the ministry of the Established Church he acquired certain civil privileges; and consequently some registration of the act of ordination was indispensable in order that his civil rights might be secured. Again, when a building was set apart for the services of the Church and the celebration of marriages, civil consequences resulted from the ecclesiastical acts performed which made a careful registration absolutely essential. Again, inconvenience would of course arise if the clergy were under no discipline, and unless there were means of inspecting the mode in which their duties were discharged, or of punishing any offence which they might commit in derogation of their sacred character. The act of visitation, therefore, was of a judicial nature, and the proceedings accompanying it must of course be registered; and therefore certain officers, who were not distinctly ecclesiastics and yet had to do with these ecclesiastical matters, had been called into existence. Institutions, collations, and inductions of the clergy into their offices were all matters involving important civil consequences, and certain officers were necessarily required to see that these various acts were duly and properly performed, and that a register of what had taken place was properly kept, in case future civil action arose with reference to them. As he had said, a great number of officers had sprung into existence whose duty it was to watch these various judicial processes. But he was not prepared to say that the number of such officers was not excessive, and it was one of the objects of this Bill to unite different offices in the same person, and thereby diminish the number. He, as Archbishop of Canterbury, had the honour of commanding the services of a Dean of the Arches, a Master of the Faculties, a Registrar of the Court of Arches, a Registrar of the Court of the Faculties, a Vicar General, a Registrar of the Vicar General's Office, a Chancellor of the Diocese of Canterbury, and a Registrar and a Deputy Registrar of the Diocese, besides a Secretary and Apparitors. As it would be absurd to suppose that the duties of these persons were so onerous that they could not be united this Bill proposed to reduce the staff. Officers of the like character, though not quite so numerous, existed in every diocese; and in addition there were the Archidiaconal officers; for, though the Archdeacon's Courts had been abolished, officers of those Courts still existed. The fact was, that the existing machinery was partly the remnant of an old system altered by legislation; but, as a matter of fact, two or three persons in each diocese might perform the whole of the work for which a large staff was now maintained. Up to 1857 the Dean of the Court of Arches had to do with not only the ecclesiastical business of the Province of Canterbury, but with the whole of the marriage law as it then existed in that Province; and the Dean presiding over the Prerogative Court had to do with testamentary affairs. But in 1857 a change took place—testamentary and matrimonial causes were withdrawn from the Archbishop's Court, which was consequently left in a somewhat ruinous condition. When a new Court of Probate and Divorce was established, the late Lord Cranworth, who was at that time Lord Chancellor, was asked how the Judge of the Arches Court was to be remunerated in future for the work which he was to be called upon to discharge—the amount he received as Judge of that Court being about £15. From 1857 till this year the difficulty was overcome by the Archbishop of Canterbury asking the Judge of Admiralty to undertake the duties of the Arches Court. Thanks were due to the learned Judges who complied with that request; but delays naturally arose in the discharge of the business of the Arches Court, which ought to be completed with as much despatch as possible. The delays arose from no want of diligence on the part of the learned Judges—they were inevitable under the arrangement existing at the time. Under the new Judicature Act it became no longer possible for the Judge of the Admiralty Court to hold an ecclesiastical office. The question therefore arose, how, under existing conditions, the Judge of the Court of Arches was to be remunerated? It was indispensable that a conclusion should be arrived at on that point. Last July a noble and learned Lord—who was not now present (Lord Penzance)—undertook the duties of the Judge of the Arches Court, and in the present Bill it was proposed that a system should be established whereby proper remuneration should be given to the holder of the office now filled by that noble and learned Lord. The amount of that remuneration was left open in the Bill; and the same course was adopted with regard to the remuneration of several other officers. Before settling the question of remuneration, care should be taken to secure, so far as the regulations of Parliament could effect it, that all persons to be appointed were perfectly fitted to discharge their duties. It was accordingly proposed that all persons who held the office of registrar or any other office dealt with by the Bill should discharge the duties of their office in person, and that the registrars as well as the chancellors should have certain legal qualifications—such as should give security to the country that they were fitted for the discharge of their duties. The time, perhaps, was past when there could be any very serious abuse in that way; but still it was a fact that not very long ago the office of registrar was held in one diocese by a gentleman who was a missionary of the Free Church of Scotland, and who, he (the Archbishop of Canterbury) supposed, had been in the enjoyment of the post since the time he was in his cradle. Again, it was not so very long ago when a noble and learned Lord, while speaking vigorously in their Lordships' House against the present system, was reminded by a right rev. Prelate who interrupted him that he himself was a registrar. The noble and learned Lord was so surprised that he could scarcely continue his argument. There had been a great deal of difficulty in obtaining a statement of the amount of fees which were at present collected by the various ecclesiastical officers; but a very moderate computation made them amount altogether to £46,000. Of these marriage licences produced about £18,000; general fees to Bishops' officers, £21,000; and, so far as he could ascertain, the fees paid to archdeacons and their officers, £7,000. That he believed to be the lowest and most moderate calculation. Looking carefully into the matter, it would appear that by giving effect to the provisions of the Bill, and assigning fair salaries to the several officers employed, a saving of about £10,000 a-year might be effected. It might be hoped, therefore, that when the system which this Bill would establish was brought into working order, there might be brought about a diminution in the fees now paid by the clergy and others. Some of the fees were unpalatable in themselves, and others were unpalatable by reason of the mode in which they were collected. Visitation fees—which he thought were not immoderate in amount—were extremely irritating for the second of those reasons. But in some cases almost as heavy a fee had to be paid on giving up an office as on being appointed. It need scarcely be said that such a fee was unpalatable. It was now proposed that all ecclesiastical fees should be paid over to the Ecclesiastical Commissioners; but to provide against any encroachment on the Common Fund of that Commission, it would be enacted that in respect of those fees, the Ecclesiastical Commissioners should not pay out more than they received. There was an apparent exception to this in the provision for the payment of £200 to be paid to archdeacons; but they were entitled to this sum under an existing Act of Parliament, though they had not yet received it in full. To sum up, offices were to be united; the number of officers was to be diminished; legal qualifications were to be insisted on before any person could be appointed to office; the officers were to discharge their duties in person; hereafter all ecclesiastical fees, the subject of the Bill, were to be paid into a General Fund and distributed in the way of salaries. It was desirable that the civil machinery of the Established Church should be such as to command respect. It was not desirable to try and prop up a system which was tottering to its fall—they ought rather to put their house in order, and make due provision for the proper discharge of duties which were essential to the maintenance and the welfare of the Church. He anticipated that there would be no violent or very manifest opposition to the Bill; but there would be a steady, he might say stolid determination on the part of some persons that it should share the fate of other attempts in the same direction. The great danger to the measure lay in the fact that sufficient interest would not be manifested in its favour, and that the views of those who feared that it affected vested interests would prevail. This fear was not well founded, because the greatest care had been taken to preserve vested interests. The majority of the ecclesiastical officers now living were valuable servants of the Church, and to them the country was greatly indebted for the zealous discharge of their duties, and they had no reason to fear any injustice from the right rev. Bench. He would earnestly commend the Bill to the consideration of their Lordships, and trusted that they would now give it the second reading.

Moved "That the Bill be now read 2ª."—(*The Archbishop of Canterbury.*)

THE EARL OF SHAFTESBURY considered the Bill as one of great importance to the interests of the Church, and the thanks of their Lordships were due to the most rev. Prelate for its introduction. The measure would abolish many sinecure offices, and consolidate many more. But it would be necessary to amend the Bill in Committee. As to that part of the Bill which dealt with fees, he did not know whether the House of Commons would agree to the payment of fees by stamps; but he, for one, thought that would be an improvement. Great changes had of late years been effected by legislation in our ecclesiastical system, and it was desirable that the Chancellor and other high officers of the dioceses should be barristers of good standing, and that the registrars should do their duty in person, and not by deputy. The most rev. Prelate had calculated the fees at only £46,000 a-year; but he (the Earl of Shaftesbury) thought the amount would be much larger—he thought it would be found they would realize £71,000—that was the amount at which it was estimated in 1871. He objected strongly to the 42nd clause as containing a principle which he felt sure their Lordships would never approve. That clause was as follows:—

> "From and after the commencement of this Act no churchwarden shall be admitted to office unless he produce a certificate of his appointment, signed by the chairman of the vestry at which such churchwarden was appointed. Such certificate shall be made on a printed form, bearing a stamp of the value of five shillings, supplied by the registrar of the diocese at the expense of the churchwarden. Such churchwarden shall be entitled to be repaid the cost of such stamp from any funds applicable to the maintenance and repair of the parish church of the parish of which he is churchwarden, or to the expenses of conducting Divine service in such church. Where more than one churchwarden is appointed at any vestry the certificates of such appointment may be made on one form without any additional stamp. Nothing contained in this section shall be construed to exempt any churchwarden from any duty which may now be imposed upon him to attend visitations and to be admitted to office and to make presentments and answers to articles of inquiry thereat; but no fee shall be paid at such visitation by any churchwarden. The expression 'churchwarden' in this section shall be construed to include 'sidesman.'"

He thought that subjecting the churchwardens by Act of Parliament to a fee of 5*s*. was in itself objectionable; but nothing could be more objectionable than giving churchwardens the power of repaying themselves out of funds applicable to the maintenance and repair of the parish church, or to the expenses of conducting Divine service. Such a power would dry up all voluntary sources of supply. In his opinion, now that the Diocesan Courts were practically abolished, the whole of the ecclesiastical fees ought to be thoroughly revised, and not dealt with in the piecemeal manner proposed by this Bill. They pressed with great heaviness on the parochial clergy, and, as far as they were concerned, he thought that the greater part of them ought to be abolished altogether.

THE ARCHBISHOP OF YORK pointed out that the Diocesan Courts were by no means practically abolished—on the contrary, their efficiency, he hoped, would be greatly increased by recent legislation. It was true that one class of cases were taken from those Courts, but two large and important classes were left to them. With regard to the discrepancy in the aggregate value of the fees as estimated by the most rev. Prelate and by the noble Earl, it should be remembered that the estimate of £46,000 excluded the fees of the Archdeacons, £3,600, and those of the Surrogates, £6,800, which would bring the gross total of the most rev. Prelate up to £56,000. In many departments there would be a saving of from 40 to 50 per cent in the fees to be paid.

THE EARL OF POWIS objected to the measure as one which had a tendency to destroy the independence of the several Dioceses, by sweeping away all the fees into one fund, to be administered in an almost irresponsible manner. The Bill was really neither more nor less than a Bill to provide a salary for the new Ecclesiastical Judge under the Public Worship Regulation Act. The question was, whether this money could not be raised without this Bill, which would disturb all the present arrangements for collecting and paying ecclesiastical fees throughout the country. He thought the payment by stamps would only augment the confusion.

VISCOUNT HALIFAX also objected to the 42nd clause. At present, in the case of many parishes the fees for the admission of Churchwardens was not paid. The Churchwardens had no legal right to recover the amount from a voluntary church rate. In other churches, the funds for the proper maintenance of the services were derived from the offertory; but if people found that their offerings were to be applied to the payment of these fees to a general fund the offerings would probably be much reduced.

THE LORD CHANCELLOR said, he did not intend to offer any objection to the second reading of the Bill. His noble Friend (the Earl of Powis) had stigmatized the Bill as a measure intended to provide the salary for the Judge under the Public Worship Regulation Act; but, so far from that being the fact, there had been several Bills with similar objects brought into their Lordships' House before the Public Worship Regulation Act was even proposed. He would not go into the question whether or not the Bill went far enough as to the reduction of fees, but the measure comprised a great many details with regard to the amalgamation of various offices which would require very careful consideration. The collection of fees by means of stamps was proposed in some of the former Bills; but it was held to be very questionable whether they could be conveniently and satisfactorily collected in that way. Having regard to the complicated nature of many of the details he would suggest to the most rev. Prelates that their Bill would have a better chance of progressing if it were referred to a Select Committee than if it were dealt with in Committee of the Whole House. If that course were adopted, Her Majesty's Government would render the most rev. Prelates all the assistance in their power.

LORD DYNEVOR thought the Bill did not go far enough in the regulation of fees, for there were many ecclesiastical fees which the Bill did not touch. He also objected strongly to the 42nd clause; and thought that, as the office of churchwardens was not a pleasant one and had no emolument whatever attached to it, no new burden should be put upon them.

THE ARCHBISHOP OF CANTERBURY said, he would adopt the suggestion thrown out by the noble and learned Lord on the Woolsack that the Bill should be referred to a Select Committee. He wished to point out that the measure did not propose to lay any fresh burden upon churchwardens. Those officers were at present called upon to pay fees varying from 18*s.* downwards, and it was proposed to reduce the fees to an uniform 5*s.* all over the country. With reference to the remarks of the noble Earl (the Earl of Powis) on the subject of the transfer to the Ecclesiastical Commissioners of official buildings belonging to registries, those buildings in which the work of the registry was conducted were expressly excepted from the Bill, and therefore they would not pass into the hands of the Commissioners. All the suggestions that had been made would receive the most careful attention when the measure was before the Select Committee.

Motion *agreed to;* Bill read 2ª accordingly, and *referred* to a Select Committee.

And, on March 7, the Lords following were named of the Committee:—

L. Abp. Canterbury.
Ld. Chancellor.
M. Salisbury.
Ld. Steward.
E. Shaftesbury.
E. Stanhope.
E. Powis.
E. Nelson.
V. Halifax.
V. Cardwell.
L. Bp. Gloucester and Bristol.
L. Bp. Ely.
L. Strafford.
L. Hatherley.
L. Winmarleigh.

APPEALS—STANDING ORDER.

RESOLUTION.

LORD REDESDALE said, that his object in proposing the Resolution of which he had given Notice, of a new Standing Order with regard to the number of Law Lords sitting to hear appeals in their Lordships' House was this—that the Bill relating to the Appellate Jurisdiction of the House, which had been introduced by the noble and learned Lord on the Woolsack, contained a similar provision fixing the minimum number of Law Lords who were to sit and determine appeals. Under these circumstances, it was desirable that the House, which had ample power to do so, should of its own act do that which the statutable enactment would require to be done. He humbly conceived that whatever was required to be done could be done by their Lordships themselves without any legislation, and in the manner provided by this Resolution. The object of the provision was to meet the evil that had been dwelt upon very much, of a single Law Lord sitting with two lay Peers to hear and determine appeals. The Standing Order which he proposed would make no difference in the practice of the House. It would only provide that three noble Lords, qualified by their previous professional training, should sit on the hearing of appeals, and would not preclude any other noble Lords from attending at such hearings.

Moved to resolve, That no Appeal or Cause in Error shall be heard and determined unless there be present at such hearing and determination not less than three Lords holding, or who have held, some of the following high judicial offices; that is to say, the office of Lord Chancellor of Great Britain or Ireland, or of Judge of one of the Superior Courts of Law or Equity in England, or of Her Majesty's High Court of Justice or Court of Appeal in England, or of the Court of Session in Scotland, or of the Superior Courts of Law or Equity in Ireland.—(*The Lord Redesdale.*)

Ordered, That the said Resolution be declared a Standing Order, and that it be entered on the Roll of Standing Orders of this House.

LORD DENMAN said, he was entirely opposed to the Resolution of the noble Lord, the effect of which would be, that if only two Law Lords and a third Peer were present ready to make up a quorum, parties, and attornies and counsel, even if anxious to proceed, would be obliged to wait for the appearance of some Judge of Appeal whose qualifications were not yet finally settled.

THE LORD CHANCELLOR said, that he did not intend to raise any opposition to the Resolution of his noble Friend. On the contrary, the state of things which his noble Friend proposed to bring about by his Resolution was analogous to that which would be produced under the Bill which had been lately introduced to their Lordships' notice. There was at present no danger of their not having the assistance of the requisite number of Judges, as so many of his noble and learned Friends were able and willing to give their attendance for disposing of the legal Business of the House; but he agreed that it was advisable that provision should be made for the attendance of not less than three official personages on the hearing of appeals.

LORD HATHERLEY said, he would not oppose the Resolution, but wished to point out that the wording of the Resolution was too narrow, as it would exclude a Judge of the eminence of the late Lord Kingsdown.

EARL GRANVILLE was afraid that such constant changes in the constitution of the appellate tribunal would by no means add to its dignity.

On Question? *resolved* in the *affirmative.*

Ordered, That the said Resolution be declared a Standing Order, and that it be entered on the Roll of Standing Orders of this House.

House adjourned at a quarter before Seven o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 2nd March, 1876.

MINUTES.]—NEW MEMBERS SWORN — William Beckett Denison, esquire, *for* East Retford; James Clifton Brown, esquire, *for* Horsham.

SUPPLY—*considered in Committee*—ARMY ESTIMATES—Committee—R.P.

RESOLUTION IN COMMITTEE—Merchant Shipping [Salaries, &c.]

PUBLIC BILLS — *Ordered* — *First Reading* — Cattle Disease (Ireland) * [94]; Protection to Growing Crops (Scotland) * [95].

Second Reading—Council of India (Professional Appointments) * [69].

Committee — Exchequer Bonds (£4,080,000) * [89]—R.P.; Consolidated Fund (£4,080,000) * —R.P.

Committee—Report—Sea Insurances (Stamping of Policies) * [26-93].

Third Reading—Marriages (Saint James, Buxton) * [79], and *passed.*

CHURCHYARDS—OWSTON CHUCHYARD.—QUESTION.

MR. WATKIN WILLIAMS (for Mr. WADDY) asked the Secretary of State for the Home Department, Whether it is true that the Vicar of Owston had caused a tombstone in the churchyard to be taken up and turned round, and placed close to another tombstone so as to conceal the inscription upon it, solely because the said inscription contained the following words: "A consistent member of the Wesleyan Society upwards of 60 years?"

MR. ASSHETON CROSS, in reply, said, he had received a letter from the vicar, in which he stated that the tombstone in question was in the position in which it was placed nearly 50 years ago at the head of the grave facing the eastward. The vicar went on to say that no member of the family was now living in the parish, and 10 years ago the same grave was used for the interment of a person belonging to another family whose relatives placed another stone at the head of the grave which partially obscured the first. He thought that this was a great pity; but if the facts had been as they were stated on the Question he should have thought it a most improper proceeding.

CIVIL SERVICE OF INDIA—REGULATIONS.—QUESTION.

MR. LYON PLAYFAIR asked the Under Secretary of State for India, Whether any new regulation has been made by the Secretary of State for India, or has been submitted by him to the Government of India, regarding the selection and education of candidates for the Civil Service of India; and, if so, whether they will be laid before Parliament?

LORD GEORGE HAMILTON: A very voluminous correspondence has passed between the Secretary of State and the Civil Service Commissioners and the Government of India upon the present mode of selecting and educating candidates for the Civil Service of India. The Secretary of State does propose certain alterations in the present system; but these alterations do not apply to the method of selection, but to the subsequent training of the selected candidates. The whole of these Papers are in the printer's hands, and will shortly be presented to Parliament.

METROPOLIS—TEMPLE BAR.

QUESTION.

MR. EDWARDS asked the Secretary of State for the Home Department, Whether he purposes taking any steps with reference to the removal of Temple Bar, which is now in so dangerous a condition as to necessitate carriages passing through it at a foot pace, and causes risk as well as obstruction to the traffic in that crowded thoroughfare?

MR. ASSHETON CROSS, in reply, said, he had placed himself in communication with the Lord Mayor on the subject, and he found that negotiations were going on in the City of London with the Office of Works and the Metropolitan Board of Works as to what was to be done with Temple Bar. He was told that in the meantime there was no danger to anyone passing through, and he hoped that before long a final conclusion would be come to on the matter.

NAVY—COLLISION OF THE "ALBERTA" AND THE "MISTLETOE."

QUESTIONS.

MR. T. E. SMITH asked the First Lord of the Admiralty, Whether he has instituted any inquiry into the circumstances of the collision between the "Alberta" and the "Mistletoe;" and, if so, whether he will state the result of such inquiry to the House?

MR. ANDERSON asked the First Lord of the Admiralty, Whether any inquiry was made by the Admiralty into the circumstances under which the yacht "Mistletoe" was run down in August last; and, if he will lay upon the Table of the House any Report or Correspondence on the subject; and, whether any payment has been made or sanctioned by the Admiralty to anyone as solatium, or for expenses incurred through the disaster; and, if he will lay upon the Table of the House the particulars of any such payments, and any Correspondence relating thereto?

MR. HUNT, in reply, said, he proposed to lay Papers relating to the collision between the *Alberta* and the *Mistletoe* upon the Table, which would give the information required.

ELEMENTARY EDUCATION ACT—PUBLIC ELEMENTARY SCHOOLS.

QUESTION.

MR. HEYGATE asked the Vice President of the Council, If he can now state to the House, the number of Public Elementary Schools (Church, British, Roman Catholic, and Board, respectively) in England and Wales on the 31st August 1874 and 1875, respectively; the number of scholars on the register, and the number of children in average attendance at such Schools at the above dates; the amount of voluntary contributions for maintenance of such Schools in each of the above years; and, the number of civil parishes (exclusive of London and Municipal Boroughs) under School Boards, as compared with the number not under School Boards, on the 1st January of the present year?

VISCOUNT SANDON: If I were to answer all the details to which my hon. Friend's Question refers, I should occupy an inordinate portion of the time of the House with a mass of figures very difficult to follow. I propose, therefore, to lay on the Table of the House a full statement of the facts he wishes to know, and only to give now the leading figures. The total number of voluntary public elementary schools in England and Wales in August, 1874, was 11,341; and in August, 1875, 12,081. The number of board schools at the same date in 1874 was 826; in 1875, 1,136. The number of scholars on the register in voluntary public elementary schools in 1874 was 2,276,576; in 1875, the number was 2,392,333. The number of scholars in average attendance in the same schools was, in 1874, 1,540,466; in 1875, 1,609,895. The number of scholars on the register of board schools in 1874 was 221,026; in 1875, 351,967. The number in average attendance at the same schools was, in 1874, 138,293; in 1875, 227,285. The amount of voluntary contributions to the voluntary public elementary schools was, for 1874, £602,836; for 1875, £675,565. The number of civil parishes, exclusive of London and municipal boroughs, under school boards, was, on the 1st of January, 1876, 2,005; the number of civil parishes without school boards was, at the same date, 12,077.

REGISTRATION OF ELECTORS—PAROCHIAL RELIEF.—QUESTION.

MR. RICHARD asked the Secretary of State for the Home Department, Whether he is aware that considerable dissatisfaction exists among the working men of Merthyr and the mining districts of South Wales owing to the omission from the Parliamentary Register, and thereby the practical disfranchisement, of several hundreds of their number who earned the money they received from the parish, during the lock-out last year, by breaking stones; and, whether money received in payment for work done is to be regarded as "parochial relief or other alms," in the sense which disqualifies the recipient from being a voter?

MR. ASSHETON CROSS, in reply, said, that no complaint had been made from working men of Merthyr and South Wales that they had been disfranchised because they had received parochial relief. The law with regard to the matter was laid down in 2 & 3 *Will.* IV. c. 45, sections 35 and 36, and declared that the receipt of parochial relief should disqualify, under certain circumstances, the persons receiving it. That enactment was extended to counties by 31 *Vict.* c. 102, and it was a question for the revising barrister whether particular persons came under the disqualification, and his decision was subject to an appeal. He understood that in the present case no appeal had been made against the decision of the revising barrister, and he need hardly add that the Home Secretary had no jurisdiction in the matter.

ARMY—THE RESERVE.—QUESTION.

SIR GEORGE CAMPBELL asked the Secretary of State for War, Whether any and what effect has yet been given to the following paragraph in the Recruiting Regulations, and, if not, whether it is intended to give effect to the same:

> "Within such limits as may from time to time be prescribed, soldiers may, on the recommendation of their commanding officers, and with their own free assent, after three years' Army service, pass to the Reserve, and complete in that force the unexpired portion of their engagement."

MR. GATHORNE HARDY, in reply, said, the soldiers in the United Kingdom had already been allowed so to retire, but no application had been received from those on foreign service.

METROPOLIS—HYDE PARK—STATE OF ROTTEN ROW.—QUESTION.

MR. PEASE asked the First Commissioner of Works, Whether his attention has been called to the fact that the riding ground in Rotten Row is much out of repair, and in some places dangerous; and, what instructions are given to the park keepers and police as to loose dogs, which jeopardise the safety of those riding on horseback?

LORD HENRY LENNOX: My attention had been called some weeks ago to the unsatisfactory state of Rotten Row. The orginal mischief arose from very hard frosts with heavy falls of snow and rapid thaws. As soon as I was made aware of the state of things, orders were given, and for the last fortnight the whole of the staff connected with Hyde Park has been employed in trying to remedy the evil. I hope that when a little dry weather sets in, Rotten Row may be again found to be what it ought always to be. With respect to the second part of the Question, the hon. Member is not, perhaps, aware that the custody of Hyde Park is intrusted, not to the gate-keepers, but to the Metropolitan Police, and there is a clause in the Parks Regulation Act which enables them to stop loose dogs or loose riders, or, indeed, any other hotheaded persons who, in pursuit of their own pleasure, are likely to endanger the safety of the general public.

NAVY—H.M.S. "DEVASTATION."

QUESTION.

Captain NOLAN (for Mr. A. Moore) asked the First Lord of the Admiralty, Whether the Admiralty have received any Report on the behaviour and sea-going qualities of H.M.S. "Devastation" since last leaving this country; and, if so, whether he will lay such Report upon the Table of the House?

Mr. HUNT, in reply, said, a Report with reference to the subject had been received and would be laid upon the Table.

POST OFFICE—THE TELEGRAPH SERVICE.—QUESTION.

Mr. DILLWYN asked Mr. Chancellor of the Exchequer, Whether the recommendations of the Civil Service Commissioners embodied in the recent Order in Council will apply to the provincial telegraph staff?

The CHANCELLOR of the EXCHEQUER, in reply, said, the Order in Council would apply to that portion of the staff which was strictly clerical.

THE SUEZ CANAL—SIR DANIEL LANGE.—QUESTION.

Mr. MONK, who had given Notice of his intention to ask the Under Secretary of State for Foreign Affairs, Whether Sir Daniel Lange has been dismissed by his co-directors from the office of director of the Suez Canal Company, remarked that his Question had to some extent been answered in *The Times* of that morning, and he desired now to put it in a different form — namely, Whether Sir Daniel Lange has been dismissed by the directors of the Suez Canal Company from the position of representative of the Company in England; and, if so, what was the cause of his dismissal?

Mr. BOURKE, in reply, said, that no Notice had been given of the Question in its amended form, but that the answer to it had been anticipated by the letter in *The Times* to which the hon. Member had referred. The information contained in that letter was on the highest authority—namely, that of M. de Lesseps—and the cause of the withdrawal of Sir Daniel Lange from the position he held in the Company was clearly stated. The Government had no information on the subject further than that published in *The Times*, and he could only refer the hon. Member to the letter in question. He might add that from M. de Lesseps' statement in *The Times* it was perfectly clear that Sir Daniel Lange had never been a director, but had been merely a salaried officer of the Suez Canal Company.

MERCANTILE MARINE—BLACKWOOD'S "NIGHT HELM INDICATOR."

QUESTION.

Colonel NAGHTEN asked the First Lord of the Admiralty, If, with a view to the prevention of collisions at sea, and consequent loss of life, he will sanction a trial on Her Majesty's ships of Sir F. Blackwood's "Night Helm Indicator?"

Mr. HUNT, in reply, said, an indicator of the same kind had already been tried, and he did not know what advantage would be derived if the question were brought forward again. He had not been able to give the matter much consideration, which, however, he would do before he came to a final decision on the subject.

OWNERS OF LAND (IRELAND)—IRISH "DOMESDAY" BOOK.

QUESTION.

Mr. STACPOOLE asked the Chief Secretary for Ireland, What is the cause of the delay in the Parliamentary publication of the Returns of the Owners of Land in Ireland, similar to those which nearly a fortnight since were published respecting the Owners of Land in England?

Sir MICHAEL HICKS-BEACH: I am informed that the reasons for the delay in the publication of the Irish Domesday Book are — first, that the official instructions for the work were not issued to the Irish Local Government Board until January, 1873, some months later than in England; secondly, that the local work fell on the clerks of the unions, who could only devote their leisure time to it, and, as the unions are very large, this caused much delay. I am happy to say that the work has now gone through the Press, and is expected to be ready for presentation about Easter.

MR. JOHN BRIGHT said, that there was a Return which was furnished to the Government before the Land Act was brought in, which gave an admirable account so far as he was a judge; and he should think that if the Government laid that Return upon the Table it would be very satisfactory to the public.

SIR MICHAEL HICKS-BEACH said, he was afraid that the Return would not answer the purpose, for it would not be correct down to the present time. The Return for Ireland would be, as far as possible, precisely the same as that for England.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY RECRUITING.—RESOLUTION.

CAPTAIN NOLAN, in rising to move —"That the inducements to enter the ranks of the Army ought to be increased," said, that in the absence of full information as to the increased inducements to enter the Army, of which they had heard, he had found it necessary to proceed with his Motion. He had no doubt that the Secretary of State for War had done his best to make an advantageous change in the condition of non-commissioned officers; but, unfortunately, he was not the only person to be considered, and so the hopes of non-commissioned officers as to additional pay had not been realized. With regard to the class of recruits now entering the Army, military officers as a rule spoke of them as being up to the mark, and the right hon. Gentleman himself, speaking from personal inspection of the men at the recruiting depôt, had characterized them as highly satisfactory. He (Captain Nolan) had lately been in a very favourable position for forming an opinion on this subject, and his impression was that in three or four years the recruits they were now obtaining would make very fair soldiers indeed. A great many of the men went close to the figure, and had to be passed by special authority. But the point that struck him most was the almost total absence of any reference to the true character of the men, it being taken upon their own statement. Often it was difficult to judge whether the materials were good or bad, owing to the difference which was presented between a man in uniform and a man in civilian's dress. It was far better to depend upon statistics than on individual impressions, and private Members were in a disadvantage in that respect, because those supplied to the House were a year behind, whilst the Secretary of State for War had them made up to the time when he spoke. He found from the Returns for 1874-5, that there were 93,114 men serving that year in the British Islands. Of that number 1,853 were in prison; 5,582 deserted, and as if the men did not return within three weeks their names were struck off the strength of the Army and were not put on again until their return, therefore, he put them down as 400. There were 14,000 courts martial in and out of the British Islands, and of that number he put down 300 as absent on trial and not in prison. There were 15,868 men under the age of 20; and of the 1,648 men discharged for bad character, he put down 1,200 in these Islands. These figures showed the strength of the Army to be 19,621, which was anything but satisfactory. In Russia no man was taken into the ranks under 21, and in Germany under 20, knowing how useless it was to take men as efficient at 17 or 18 years of age, and when it was tried by the First Napoleon, in 1813, after the Battle of Leipsic, the young troops broke down. Last year General Symonds, Inspector General of Fortifications, had brought the pecuniary view of this subject before the members of the United Service Institution. That gallant officer laid it down as a rule that no recruit should be received into the Army at a lower age than 20 years, and he calculated the cost of his training to the country when he was enlisted at a lower age than that. If a lad of 17 enlisted in the Cavalry he did not become of use as an efficient soldier for three years, and cost the country £318. If he was 18 years of age he would cost the country £236; whereas had he been enlisted when just close upon 20 years of age he would have cost only £62 for his training, so that there would be a saving of £174, which was equivalent to 1*s.* 10*d.* per day, spread over the remaining years of the man's service. If a lad of 17 years of age enlisted in the Infantry his training cost £132 more than it would have cost if his enlistment were delayed until he came within eight or nine months of being 20 years of age. Spreading that over the three years which remained of his years of service, it amounted to 3*s*. 7*d*. a-day more than his pay; and taking the annual average of lads enlisted under 20 years at 10,000 (in 1873 it was 15,868), it appeared the country might be saved £1,000,000 by giving up the practice of enlisting those who were under 20 years of age. The Secretary of State for War would no doubt say, that because 20,000 had enlisted during the last year that the soldier was satisfied with his position. The statistics for the five years previous to 1873 showed that 6,110 left on completing their first period of service; 12,000 men purchased their discharge; 5,703 were allowed to leave the Army before their period of service had expired; 8,000 were discharged as bad characters, and 17,594 deserted, which showed that the men were not satisfied with their condition. But then how, it might be asked, was it that men were found to enlist if they were not satisfied with the terms which they obtained? Seventy or 80 years ago our system of recruiting was conducted in a way totally different from that which now prevailed, and the recruiting sergeants used to depend very much on treating men at the public-house; but within the last 12 or 14 years all that sort of thing had been given up, and it was no longer sought to enlist men by placing them under the influence of drink. Our hopes now of securing the services of grown men as recruits—for it was not, he thought, a wise course to adopt to enlist mere lads —depended very much on the inducements we held out to them, and the extent to which we were prepared to compete with the employer of labour in the labour market. With regard to pay an Infantry soldier received nominally 14*s*. per week, one half of it being in rations, &c. There was a deduction of 6*d*. for stoppages, for which the men got an equivalent, which made it actually 13*s*. 6*d*.; but if 1*s*. 10*d*., the value of his pension, was added, because as he only enlisted for six years, he was not likely to get much benefit from his pension, he would receive 15*s*. 4*d*. The ordinary rate of agricultural wages in the North of England was from 18*s*. to 22*s*., although in the South it might not be more than 13*s*. or 14*s*., it being still lower, perhaps, in some parts of Ireland. It should, however, be borne in mind that a man seeking higher wages would go, not to the South of England, but to the North, where he would be likely to find a better market, and that, as things now stood, an unskilled labourer would have to give up 4*s*. 6*d*. a-week to enter the Army. He did not attach much consequence to promotion from the ranks, because up to the present time only 115 men who were not Riding or Quartermasters had risen from the ranks, so that the ordinary soldier's chance of promotion was 1,000 to 1. The only position to which the vast majority of the private soldiers could hope to rise was that of a non-commissioned officer; and the man who attained that rank was rather below the position of a Northumberland labourer. Under these circumstances, it was no wonder that we were obliged to fall back on immature men quite unfit for war. The only other Army raised by voluntary enlistment was that of the United States; and there they had to contend with the same difficulties as we had in this country. The pay of American soldiers was, before the civil war, $13 a month, and it was raised to $16 during the civil war. After the war it was reduced for one year to $13. In that year there was more desertions than previously; but in the next year, when the pay was again raised to $16, the number of desertions fell off very considerably. The American soldier was much better treated than ours with regard to rations and clothing. Our Infantry private got 1*s*. a-day, and out of that he had to pay about 6*d*. for a portion of his clothes and rations. In this respect there was a great discrepancy between the United States and the English Armies, leaving much room for improvement on one side. The question of non-commissioned officers was not merely one of supply and demand. A recruit knew that about one-half of the men eventually became non-commissioned officers, and consequently the amount of pay given to the sergeants would draw men into the Service. With regard to inducements to enter the Army, he thought we might spend our money most profitably on the non-commissioned officers, and beyond this he had no theory whatever. Any inducement which might be offered ought, in his judgment, to be spread over the whole Army, and no distinction not previously existing ought to be made between one corps and another. By getting men of good character we should do away with a very great deal of desertion. If we held out better inducements to enter the Army, we should be able to pick and choose, which we could not do at present, the result being that we now got many men of bad character. He hoped the right hon. Gentleman the Secretary of State for War, in the proposals he was about to make, would be able to change substantially the present state of affairs. He begged, in conclusion, to move the Resolution which stood in his name.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the inducements to enter the ranks of the Army ought to be increased," — (*Captain Nolan,*)

—instead thereof.

GENERAL SHUTE fully agreed with the general terms of the Motion of the hon. and gallant Member for Galway, and said that the inducements to enter the Army must be increased as the short service system came into operation. He could not endorse all the remarks of the hon. and gallant Member, although he thought many of them were valuable in the extreme, and the House must recollect that his hon. and gallant Friend had lately had many opportunities of being thoroughly up in this subject. It was a great advantage to have in the House Gentlemen who either were actually serving or who had lately served in the Army, although some persons thought that officers on full pay ought not to sit in Parliament. Of course officers on full pay ought particularly to avoid questions of discipline; and, indeed, in his opinion, such questions ought to be regarded as altogether foreign to the debates of the House of Commons. The country ought to be most grateful to the present War Minister for his determination to combine the strictest economy with efficiency. It was easy for irresponsible outsiders to say that they should give larger inducements to men to enter the Army; but if this were not done with discretion certain people would say—"Here are the Tories come into power again, and there is a large increase of the Army Estimates." Some very extraordinary statements were occasionally made to the more unintelligent portion of their constituents on naval and military matters. The other day an eloquent Hibernian, addressing a mob, asked them what was the use of all the twaddle which had been uttered about ironclads, and after referring to the fate of Admiral Byng, declared his opinion that a public execution in Trafalgar Square under the shadow of the glorious Nelson Column would do more good than any number of speeches in the House of Commons. He rather thought the orator considered that the First Lord of the Admiralty ought to be the victim. More must be spent upon the Army if we wanted a really efficient one. Like other employers of labour, we must make the service better worth having. As it was, one-fourth of our regular soldiers were inefficient from youth, character, or crime, not including men in hospital, who were always more numerous in the case of a youthful army than of one matured. The Army surgeons might, he thought, do more to prevent the possibility of boys of 15 passing themselves off as youths of 19; but the fact remained that in all the regiments which represented maturity by the standard of stature—such as the Guards, the Artillery, and the Heavy Cavalry—we were short of men. He confessed that when he was Adjutant he preferred youths as recruits because they were more easily moulded into good soldiers. But then, with a system of long service, there was ample time for this work of conversion. He was not now going to advocate long service. A Reserve was positively necessary to meet the requirements of modern warfare, and they could not have a Reserve unless they had short service, and they could not have short service unless they had some means by which they could secure men of better character and of more advanced age. The real fact was that, to use the vulgar proverb, old birds worth having were not to be caught by chaff. When he last spoke he had given eight suggestions, and regretted that they had not been reported. He knew, of course, that Members could not expect their speeches to be fully reported except those delivered from the front benches. Still, it was to be regretted that the points of professional speeches were not appreciated and given. He did not, however, blame the reporters—perhaps it was hardly to be expected that they could see the points of professional speeches, and he had therefore sent a copy of the eight suggestions to which he referred to a local paper, in which they had thus been correctly reported. He was strongly in favour of a proposal made in 1872 by Captain O'Hea, who inspected the drill of the industrial schools of London for the Society of Arts—namely, that the boys should be drafted at the age of 16, when their parochial maintenance ceased, into local depôts, there to be trained until they were 18, and then put into the Army. It was calculated that in the London district alone 3,000 recruits might be obtained by acting on that proposal, and they would be soldiers of a better stamp and more suitable for promotion to the rank of non-commissioned officers than the great majority of men enlisted under the present system. Admitting that the inducements with regard to men would be expensive, only just let them think what was done with regard to the officers by the late Government. They had abolished Purchase and the whole plan of retirement; the cost to the country would be £38,000,000, and he only wished that half that sum had been spent on the men. He was immensely glad to see that it was proposed to concentrate two or three corps on a strategical point, because the mere collection of so large a force at a given place would be a most valuable manœuvre. If 150,000 men were concentrated, say, at Redhill, and bivouacked there, even though it were for only one night, put in position, and sent home next day, it would be worth more than dozens of sham fights. The questions affecting the Army and Navy were not of mere Military and Naval, but of great national importance. They were the only real insurance of this country; and if they had a great channel misfortune and a great land misfortune, and London and Woolwich were ever at the mercy of an enemy, they would have to pay four times as much as France. He was sure that neither the House nor the country would grudge the expense that was undoubtedly necessary for their Army and Navy, provided the increased cost would ensure efficiency.

Colonel MURE said, that the end of next year, when the men who had joined the Army for three years began to go out, the difficulty which they at present had to contend with would be trebled. It was curious to look back into the history of the inducements which had been given from time to time to the Army. If they recalled to mind the pay which the soldier had in the days of bounty and pensions, they would find that whilst the demand in the labour market had been multiplied, they had reduced the inducements which were offered to men to become soldiers. They had also in a great measure increased the labour of the soldier; so that they had these three conditions—namely, a far larger demand on the labour market, decreased pay for the soldier, and increased work. It had been said that it was beginning now to be acknowledged and understood that after all the Army was only a branch of the labour market. He should like to ask how the head of any private firm would be able to get men if, while increasing the work required of them, he at the same time decreased their pay. It was said—"Oh, but the condition of the soldier is improved; we give him now facilities for private theatricals and entertainments in barracks, education, and things of that kind." Well, supposing an employer of labour went to his workmen and said—"I will increase your work and decrease your pay, but will give you compulsory education and some facilities for private theatricals." Why, any employer of labour who adopted such a means of trying to get men would be looked on as a lunatic, and his firm would probably soon come to ruin. The question was—What were they to do? It was a curious thing that even now, notwithstanding the enormous difficulties they had to contend with, the Press, and many men apparently qualified to judge, entertained a strong opinion that by short service they would facilitate recruiting in the face of the increased demand on the labour market, which was the inevitable result. He thought nothing would be more calculated to injure the Army than to have shorter service, unless they at the same time considerably increased the pay, so as to get a better class of man. His hon. and gallant Friend (Captain Nolan), who had introduced this subject in a very able and comprehensive speech, had pointed out that one of the means by which they might the better induce men to enlist would be by offering greater advantages to non-commissioned officers. In that he (Colonel Mure) cordially agreed, and he was glad that the Secretary of State for War had taken the matter into consideration in the Army Estimates. There was one point which he (Colonel Mure) would like to press on the right hon. Gentleman; he had now, not only for non-commissioned officers but for privates, offered increased pay—for the deferred pay must undoubtedly be regarded as an increase—but he could assure him that one of the reasons why they had such difficulty in procuring men of a venturous spirit as recruits was the feeling that there was an immoral atmosphere in the Army. That was always a difficult and dangerous subject to talk about; and when one had been in the Army oneself it seemed, to use a popular expression, like fouling one's own nest. But they had the fact that year after year between 1,600 and 1,700 men were poured out of the Army as bad characters; and he would like right hon. Gentlemen to consider how far men of the right stamp were deterred from entering the Service by the knowledge that bad characters were indiscriminately admitted. He knew, of course, that if they laid down a rule that no man should be permitted to enter the Army without producing a certificate that he was not a felon, they would in some sense diminish the number of recruits. But then it was clear they would not have to turn out of the Army every year 1,600 or 1,700 men as bad characters, and therefore, on the whole, they would be none the worse off in regard to numbers. By enlisting men of bad character they corrupted and destroyed very many other young men of merely weak character. It would be curious to know how many of the 1,600 or 1,700 who were annually discharged from the Army were bad characters when they originally joined, and how many had become bad through entering the Army, and being there contaminated by vicious company. As a general rule, the tendency of military life and discipline was to improve a man's character, and it was satisfactory to know that in a great measure regimental life had the effect of turning many bad, weak young fellows into good soldiers. But it appeared to him that a great deal of that social good was swept away by the evil practice of bringing felons and other bad characters into the Army to contaminate their comrades. He thought it would be worth while for the right hon. Gentleman to try the experiment of refusing to accept a recruit unless he produced a certificate from his clergyman or the magistrates of his district to the effect that he was not a felon. In addition to the other plans which had been proposed, he trusted the right hon. Gentleman would take this one into serious consideration.

COLONEL LOYD LINDSAY said, that the great problem was how to draw into the ranks a better class of men, and the Minister for War was proceeding in the right direction by giving better pay to non-commissioned officers and deferred pay to private soldiers. The great discrepancy which existed between the pay in civil and military service ought by degrees to be diminished. He was therefore grateful to the right hon. Gentleman for proposing to increase the pay of the Guards; they had always had larger pay than regiments of the Line, and it should be remembered that the expenses they were bound to incur were greater. He would be glad if the right hon. Gentleman could see his way to increase the pay of the soldiers of the Line, and he believed that many of the reforms which we all wished to see introduced would be greatly facilitated by getting a better class of men. Able as a civilian Minister for War might be, and thoroughly as he might have acquainted himself with the details of his Department, there was one thing he could not learn, and that was how men would behave when they were brought in face of the enemy. Those men who enlisted and then deserted and robbed us, and then enlisted and deserted and robbed us again, and went on doing so, sometimes, as we had seen lately in the police reports, as many as 17 times, in foreign service were apt to leave their comrades in the lurch. Although he had not seen service since the Crimean War, he was not absent a day during the two years in the Crimea, and he had seen all the great engagements and many of the actions in the trenches, and he said deliberately that because a man wore a red coat it was no reason he should be a hero. Although a soldier might not run away, he could, if he were so inclined, avail himself of a great many excuses to evade his duty and keep himself out of danger; and from his (Colonel Loyd Lindsay's) experience he should say that the class of men now coming into the Army were not the sort of men he should like to rely on. It was most essential to get good, reliable men, and that could only be done by offering higher pay and greater advantages than were at present enjoyed by the rank and file of the Army. Now that the short service system was coming into operation, and men were to be passed rapidly through the ranks, if they were not of a higher class than at present the result might be to bring discredit on the Service by distributing through the country a set of men who were unworthy of having worn the Queen's uniform. If the right hon. Gentleman would say that it was necessary that the pay of a soldier should be assimilated to the pay of a policeman or of a porter at a railway, and would ask the House to sanction that, he (Colonel Loyd Lindsay) thought it would do more towards putting the Army on a proper and satisfactory footing than any changes which the right hon. Gentleman might have introduced.

Captain NOLAN expressed a wish to withdraw his Motion. ["No!"]

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

ARMY—MILITARY SCANDAL AT HYTHE.—OBSERVATIONS.

Mr. SANDFORD, in calling attention to the recent military scandal at Hythe, said, it appeared that there prevailed among the officers there, as among many of our regiments, two practices which he thought were most disgraceful—namely, that of breaking into an officer's room, and on some occasions pouring water on him, which was called "drawing;" and that of breaking into an officer's room and scattering about the contents, which was called "making hay." An officer at Hythe in the course of last autumn became unpopular with his brother officers. They practised "drawing" upon him, which he did not report; but he did report them when they practised "making hay" in his room. The consequence of his reporting them was that late one evening upon the public parade at Folkestone he was forced to enter into a pugilistic encounter with them. Several other officers stood round, kept a ring, and prevented the astonished public from interfering. The language used by the officers, he was sorry to say, was of such a description that he would not venture to repeat a single word of it to the House. This affair was also reported; a Court of Inquiry was held, and certain sentences were passed. When the country had to pay £14,250,000 for the Army, it was only right that they should know the state of its discipline; but the particular reason why he called attention to this occurrence was that he wished to show to the House the light in which conduct of the kind he had described was viewed by the authorities, as indicated by the sentences passed. What was done to the officers who had broken into a brother officer's room, and he (Mr. Sandford) believed poured water upon him upon the first occasion? They were simply ordered to join their regiments. Was that a real punishment? He had always understood that, according to military discipline, the senior officer present was held responsible; but on this occasion that officer did not appear to have been even reprimanded. Neither had the officer in command of the depôt been reprimanded for allowing such scenes to occur under his eye. When the second case occurred, and there was a Court of Inquiry, the delinquents were called up for punishment. One was dismissed the Army, and another was "condemned to wear his uniform." The latter sentence he would not further allude to, than by simply observing that a mistake had been made at the Horse Guards in the wording of the sentence. An officer concerned in the "drawing" was only slightly reprimanded. When he found these facts, that the senior officer had not been reprimanded, and that the officers implicated in these transactions had only been slightly reprimanded, it seemed to him that the War authorities were almost condoning the offence. They had heard lately of insubordination among the men; but how could they expect subordination among the men when there was insubordination among the officers? Some persons, he knew, thought his right hon. Friend the Secretary of State for

War was indifferent on this subject; but he believed that his right hon. Friend wished to put down conduct such as that which had been referred to. He believed that the Commander-in-Chief also desired to put it down. Who, then, was it that stood between their wishes and the just enforcement of military discipline? It was not his present intention to move for the Reports of the Court of Inquiry, because to do so would appear to imply a Vote of Censure upon the Secretary for War or the Commander-in-Chief. All he now asked was that real measures should be adopted to put down the disgraceful practices to which he had referred. He understood that circulars were sent down to the officers in command; that officers were asked whether any practical joking was indulged in, and that none was reported, though such proceedings were heard of. He did not wish the sham circular should be sent round; but that the officers commanding districts, and the senior officers, should be held responsible for occurrences of this kind. If his right hon. Friend would give him a satisfactory assurance upon this subject, he would only be too happy to allow this question to be buried in oblivion; but if, on the other hand, such assurance were not given, he would on the earliest opportunity move an Address, praying Her Majesty to take energetic steps to repress such disorders.

ARMY—KNIGHTSBRIDGE BARRACKS.

OBSERVATIONS.

MR. J. R. YORKE rose to call attention to the proposed re-erection of Knightsbridge Barracks on the present site, in reference to which he had given Notice to move—

> "That, having regard to the Report of the Barrack Commission of 1863, which pronounces the site of the Cavalry Barracks at Knightsbridge to be 'especially objectionable,' and considering that the width of ground available for their re-erection on that site, already insufficient, will be further diminished to the extent of thirty feet by the proposed widening of the Knightsbridge Road, this House is of opinion that the said Barracks ought not to be rebuilt on their present site."

He was aware that, by the Forms of the House, he could not press the Motion to a division, and he would content himself by calling attention to the subject of it before the House went into Committee. This question had given rise to much misrepresentation and prejudice, and he wished, in the first place, to make a few disclaimers. He disclaimed the charge of intending, by this Motion, to throw any imputation upon those admirable troops who now occupied the Knightsbridge Barracks. He had not come down there to place himself in the ridiculous position of a householder who had female members of his establishment who might be subjected to the insults of brutal and licentious soldiers. During the time he had lived in the neighbourhood he had never to his knowledge seen a soldier of the Life Guards either drunk or in any way misconduct himself. He disclaimed being on that occasion the organ of any interested agitation. If there were any persons specially interested in the removal of those barracks from their present site they were the landowners whose property faced them. Those landowners were, first, the Ecclesiastical Commissioners; secondly, the noble Lord the Member for Down (Lord A. E. Hill Trevor); and, thirdly, the hon. Member for Galway (Mr. Mitchell Henry). Neither of those three had ever directly or indirectly taken any part in the agitation on that subject. That agitation, no doubt, had been promoted by those who experienced the inconvenience resulting from the narrowness of the road in that neighbourhood, and it was a matter of comparative indifference to those persons whether the barracks remained on their present site or not, provided the road was widened. The Knightsbridge Barracks were erected in the time of the Lord George Gordon's riots, about the end of the last century. They were constructed according to the sanitary views of the period; they were not intended to accommodate women or children, and they stood at a very inconvenient angle to the road. The first official mention he found of them was in the Report of the Barrack Commissioners in 1863, who reported that they were the worst barracks in the Kingdom, owing to their defective construction and the difficulty of effecting any improvement in them, and that the site was most objectionable. The men's rooms were placed over the stables, the smell of which saturated the whole of the barracks, while there was very little free circulation of air. He did not wish to enter into any controversy with the illustrious Duke at the head of the Army, and if it had been stated that an atmosphere impregnated with ammoniacal exhalations was fit for Her Majesty's troops he would not venture to question that statement, not having sufficient knowledge on the subject; but he would commend its consideration to the medical Press and those who were best qualified to form an opinion on the matter. The first move on the subject originated with the Chelsea Vestry in 1863, who represented the condition of the barracks to the then Under Secretary for War (Earl De Grey), who stated that there were no barracks in the United Kingdom so bad as Knightsbridge Barracks for the accommodation of the Household Troops, and that it had long been the wish of the Secretary for War to remove them and make proper improvements. In 1867 again a deputation on the same subject, headed by the Duke of Westminster and the right hon. Member for the University of London (Mr. Lowe), waited on Sir John Pakington (now Lord Hampton), who appeared to be much agitated by doubts, and could not arrive at any conclusion on the matter; but he said he was struck with the suggestion of the right hon. Member for the University that the barracks should be removed to Chelsea. General Peel was the first who suggested the Millbank site, which was afterwards taken up by the late Government. There were certain unsavoury associations about Millbank, through its connection with the prison, which might make gallant men not like to occupy barracks there; but if the prison had been removed according to the plan of the late Government he believed the proposal would have been sound, at least financially. Last year an outbreak of scarlet fever, or, as the Secretary of State for War called it, of scarlatina, occurred at the Knightsbridge Barracks, causing great alarm in the neighbourhood, and he received a Petition to present from 800 householders of all ranks living in the neighbourhood, praying that something might be done. The Secretary of State for War then appeared much disinclined to do anything in the matter, saying that those barracks were the most favourite barracks in the Kingdom, and that the men were especially fond of them. He believed, however, that he might now congratulate the right hon. Gentlemen on having since changed his mind. The logic of facts had proved too much for him; the barracks had taken matters into their own hands by their subsidence, and the gallant troops had to yield to necessity. He had not yet seen the plans of the Government, but supposed the House would hear something respecting them in the course of the evening. He believed they might be fairly described as involving the widening of the road 30 feet, and the rebuilding of the barracks on ground before reported by the Barrack Commissioners to be insufficient, and which was now to be curtailed throughout the entire length by no less than 30 feet. He had spoken to many military men on the subject, and, amongst others, to Lord Sandhurst, who stated that, as a matter of common sense, it was absolutely preposterous to propose to rebuild the barracks on such a site. What he (Mr. Yorke) particularly wished to impress upon the Government was this, that this was practically a question of the health of the soldier. Of course, if the site were the only one available, then the £100,000 should be expended on the re-erection of the barracks. But was that so? He had the authority of a gentleman of considerable experience, Captain Douglas Gort, for saying that, in his opinion, another site could be found which would be very much better than the present. The area occupied by the Royal Military Asylum at Chelsea was over 10 acres, and the expenditure of £20,000 would provide all the additional accommodation that would be required; while, at a cost of £40,000, military schools to replace those now existing could be erected in the country. The adoption, therefore, of the Royal Military Asylum for the purposes of the barracks would save a sum of £40,000, and the boys attending the schools could not but be benefited by the change. But he was told that the great objection to the removal of the barracks was founded on strategical considerations. It had been said by the illustrious Duke the Commander-in-Chief in "another place" that he infinitely preferred the present site to any other for strategical purposes. He (Mr. Yorke) had received many military opinions on the point, but there was no unanimity amongst them. If it were necessary that troops should be quartered in the Park, there were other sites available there which were much better than the present narrow one. Let them take, for instance, the Deputy Ranger's lodge, garden, and paddock, and they would have an excellent site, where Cavalry would be placed in the immediate vicinity of the powder magazine, with its 1,500,000 cartridges, which were now protected by one gallant sentry. They had no reason whatever—under the present excellent Government, in which he had the fullest confidence—to apprehend an outbreak of civil disorder; but they should remember that during three years, according to the present proposal, the Park would be without the presence of the military. He had suggested these sites for the consideration of the Government, and should take another opportunity of again referring to the subject. It had been said that certain persons in the neighbourhood were greatly interested, and would benefit by the removal. No doubt the Ecclesiastical Commissioners and some other persons would gain by the increased value of their territory, because instead of looking upon a high and ugly wall they would be able to look into a beautiful garden. He would only add, in reference to the question of site, that the barracks might be built on the eastern portion of the ground occupied by the Exhibition; and if the building was to have, as the illustrious Duke said it would, a handsome elevation, it would look exceedingly well if placed in that commanding position, where it would have all the strategical advantages which had been pointed out as necessary. He did not think the House would be content that £100,000 should be spent on the re-building of the barracks on their present site. When they compared the care which was taken of the health of the soldier with that which was taken of the convict and the pauper, it seemed to him that the natural order of things was reversed. For his part, he considered that soldiers should be better cared for than paupers, and paupers than criminals. Instead of that, however, sanitary conditions were more rigorously attended to in prisons than in workhouses, and in workhouses than in barracks. If the Government carried out the present ill-considered scheme, it would, he believed, be but another and a signal instance of the absurd manner in which such matters were conducted in this country. He hoped, however, that better counsels would prevail, and he humbly submitted that, in consideration of the health of the soldier, the confined space at Knightsbridge was utterly unsuited for the re-construction of the barracks on the present site.

Mr. FORSYTH, in supporting the suggestion of his hon. Friend, desired earnestly to disclaim any intention of casting the slightest imputation upon the soldiers occupying, or who had occupied, Knightsbridge Barracks. If, however, they were angels in white robes and with waving wings, the objections to the present site would remain. Now that new barracks were to be erected, the best possible site for the purpose ought to be chosen. Two objections had been urged against the removal of the barracks—first, that vicinity to the Park was necessary for the purpose of evolutions; and, next, that it was desirable to have troops in the Park to be ready in case of civil tumult. The first objection was met by the fact that if the barracks were placed at Millbank or Chelsea, a trot of 10 minutes would bring the troops to Hyde Park. With regard to the second objection, it should be remembered that for 100 years it had not been necessary to put down tumult or sedition in London by calling in the aid of the military. The people of this metropolis were the most law-abiding people of any country in the world, and he was sorry to hear the probability of sedition or insurrection assigned as the reason for continuing these barracks on the present site. The real objection was not that the soldiers were not orderly, but that unsightly buildings, such as music-halls, public-houses, and tobacconists' shops, which now fronted the barracks, must be stereotyped as long as the barracks remained. The authority of the great Duke of Wellington had been cited in favour of these barracks; but since his time an admirable access had been opened up from Millbank to the City, so that soldiers could go at a hand gallop all the way along the Thames Embankment, except in turning round the Houses of Parliament to get upon the Embankment. The right hon. Gentleman the Prime Minister, at the banquet of the Royal Academy the year before last, had pictured the idea of Pericles walking from Trafalgar Square to the Mansion House, and had described the ugliness he would see; but he (Mr. Forsyth) would say, let us imagine Pericles setting out from Kensington to go to Apsley House. He would pass by palatial structures, squares, terraces, and gardens, and the Albert Monument, with its beautiful sculptures, until he came to a narrow isthmus, with a dingy red brick wall on one side, and a congeries of the ugliest houses in the metropolis on the other. Pericles would surely think that he had already passed through London, and was entering some insignificant village on the east. As to pecuniary interests, he (Mr. Forsyth) certainly lived not far from the Knightsbridge Barracks, but he did not believe it would make £5 a-year difference in the value of his house if they were pulled down. A lady, however, could not walk with comfort from Prince's Gardens to Sloane Street without hearing sounds and seeing sights which must be offensive. It was said in praise of Augustus that he left Rome of marble, having found it of brick. It was not likely that any English Government would do this for London, but it ought to take every opportunity of beautifying the metropolis; and he trusted that this opportunity would not be lost to rid the neighbourhood of a building which must be unsightly and unseemly.

Mr. HAYTER said, he hoped Her Majesty's Government would accept the Motion. During the riots in Hyde Park it became necessary to have 250 troopers to assist the police; but when the Cavalry came out they had not acted until the Infantry were drawn up in line with fixed bayonets, when they formed on their flanks. Consequently, if such proximity was necessary for the security of Hyde Park, they must build Infantry barracks also. Why should not the Government utilize the present barracks at Kensington? They were built only 15 years ago, and could accommodate 200 Household Infantry, and there were stables for 60 troop horses. There was some additional space which the Government might obtain at a small expense, and the barracks might easily be made to accommodate a regiment of Household Cavalry. The troopers at the Knightsbridge Barracks never went into the Park except for exercise, and the Kensington Barracks would be equally near for that purpose, while they would be half a mile nearer to the evolution ground at Wormwood Scrubbs.

Sir JAMES HOGG opposed the Motion. He could bear professional testimony to the usefulness of Hyde Park for exercising the Cavalry in the Knightsbridge Barracks. It might be that 100 years had elapsed since the military had been employed in aid of the civil power; but he had been in Knightsbridge Barracks when two regiments of Cavalry and a force of Infantry, Artillery, and police were assembled in readiness, in the event of a breach of the peace; and it might again be necessary, when the popular mind was excited, to have soldiers of various arms in the best strategical positions ready to act. Barracks had been spoken of as necessarily unsightly; but he could not see why, if the present building were pulled down, the barracks to be built in their place should not be as handsome as any other building. The Metropolitan Board of Works and the War Office had met each other in a liberal spirit in regard to the widening of the road opposite to the barracks, and when the present eyesore was removed he had no doubt that the new building would be an ornament to the metropolis. As to the character of the soldiers, he believed that a better body of men than the Life Guards and the Blues never had the honour of serving the Queen. There was no connection whatever between the existence of the barracks and the existence of the houses opposite. When soldiers had leave of absence it was for a specific purpose; it was not for the purpose of hanging about the public-houses in the neighbourhood of the barracks, which they would not be likely to do, because if they were seen they would expose themselves to having leave refused in future. Therefore, the public-houses were not frequented by the soldiers on leave, and, if the public-houses were a local nuisance, it was the fault of the licensing magistrates, and not of the military authorities in keeping the barracks there. If the houses opposite were of the ugly character that had been described, why did not the freeholders pull them down and build something else? When the thoroughfare was widened he hoped the improvement would effect all the change that could be deemed necessary. That the district was a healthy one he knew from the experience of himself and of the regiment with which he served for the space of 18 years. He hoped the Government would abide by their determination to keep the barracks where they were.

SIR ANDREW LUSK said, there was no doubt that all those living in the neighbourhood would rather have the barracks in some other place. He had nothing to say against the character of the soldiers, and he was very much annoyed to hear one officer after another in this House saying things most disparaging to the reputation of the men in many ways. He was quite of opinion of the illustrious Duke, who said in "another place" that he would be prepared at a very short notice to go anywhere with our troops; but although the men might go to fight our battles, we did not want them at all times in our immediate neighbourhood. The language which was used by the soldiers was not all that could be desired by those who might be passing accompanied by ladies, and he hoped the Government would consider the desirability of removing the barracks to some other place. The public of the metropolis would be pleased if another site were chosen, and there were really no strategic reasons in favour of the present position.

MR. DILLWYN said, it had always hitherto been argued that it would be wasteful to pull down barracks which were sufficient for the purpose for which they were intended, and which he understood the Secretary of State last year to say were good, and answered very well for their purpose; and under those conditions he, for one, had never joined in any agitation for the removal of the barracks. But now he was told that the barracks were tumbling down, and new barracks would have to be built on the same site or elsewhere. It seemed to him now, that so for from being a waste of public money to build them elsewhere, it would be a waste of public money to rebuild them on their present site. The site was inconvenient and ill adapted for the purpose, and to build new barracks there would be to perpetuate the bad class of houses that existed in what ought to be the very best site in London. In saying this, however, he did not wish it to be supposed that he considered the presence there of the Horse Guards to be objectionable as having lived immediately beyond that particular district for 14 or 15 years, and having had very good opportunities of observing the character of the soldiers, he was bound to say that a better conducted set of men than the Household Troops he could not wish to see.

MR. GATHORNE HARDY said, there would be some force in the objection to re-building the barracks on their present site, if in re-building them it were impossible to introduce all those improved sanitary provisions which had been recommended by the Army Sanitary Commission and had already been adopted at Shorncliffe, Colchester, and elsewhere; but, as the reverse would be the case, and no sanitary provision would be neglected, the argument based on the anticipated unhealthiness of the new barracks fell to the ground, for it was admitted that the site itself was healthy and one of the finest in London. As to the disreputable houses, it appeared that they were not frequented by the occupants of the barracks, and would probably remain, even if the barracks were taken away. It had been asserted that the late Government wanted to remove the barracks to Millbank; but he asked what proof there was that they ever came to such a decision? No doubt notices were given to persons holding houses between Albert Gate and the barracks; it was supposed that the barracks were to be removed, and some one said they were going to Millbank. But all the notices were withdrawn, and therefore the Government did not think fit to carry their plan out; or it did not refer to the barracks at all. It had been asked why they did not remove the barracks to the middle of the Park; but there they would be more offensive than in their present position. In such a case there must be a public road through the Park to carry in supplies, and to carry away the manure from the horses. It was this that was suggested as an improvement to Hyde Park. Great pains had been taken to ascertain what could be done on the present site, and the result was there would be full cubic space, proper superficial space, and ample window space, and, indeed, all the requirements of the Army Sanitary Commission would be fully met; and the stables would be ventilated, not into occupied rooms, as in too many gentlemen's houses in London—though he had never heard that coachmen and their families were particularly unhealthy—but by special shafts into the open air, so that the soldiers and their families would not breathe the polluted air of the stables below them. The whole of the agitation against the proposal was confined to the neighbourhood; it was not the public, and scarcely the public of Knightsbridge, who supported it. The secretary seemed to put down his supporters as persons who sooner than not get rid of these barracks would become Republicans and would abolish the regiment of Guards. ["Oh."] The Secretary of the Knightsbridge Improvement Committee said something of that kind, and he was for doing away with the barracks with a very high hand, indeed. He talked about their not giving way to public opinion; but he had not public opinion, and indeed scarcely Knightsbridge opinion, to support him. There were residents in the immediate neighbourhood who had represented to him that there was no necessity for abandoning that site and to take any trouble to find a new one. As to Millbank, he should be ashamed to send the Household Troops there, for everybody knew that, from the associations of the place, they would be called "gaol birds" and all sorts of nicknames of that kind. He should also be ashamed to send them into the Park; because the opinion of the general public had condemned most emphatically the taking of a large slice of the Park for the purpose of a barrack and new roads to it. Why, when Mr. Ayrton, as First Commissioner of Works, suggested taking a small bit from the esplanade of St. James's Park for public buildings there was a great outcry throughout London against depriving the public of any of its open spaces. They had been going on for 12 years seeking, but without finding, an available site, and now they had all these different sites suggested. Well, he was content with the present site. It was given by George III. as a site for a barrack, and he believed it could be made both pleasant and healthy. He could give the assurance that, without any extreme expense, an architectural character would be imparted to the new building which he was sure would be satisfactory. It had been proposed to sell the site of the barracks for houses to be built on it, but that would be an interference with the Park which would be wholly unjustifiable. Besides that, the site was given solely for the purposes of a barrack, and if used for any other purpose it would fall into the hands of the Woods and Forest Commissioners, and the money paid for it must be handed to them and could not be applied to the purposes of a new building. When he had this subject first thrust upon him he was told that the barracks would hang together for many years, and he thought they would. He did not believe in the excessive unhealthiness of the site. That was contradicted by the medical reports. It was far better in that respect than the St. John's Wood Barracks. He was willing, therefore, to take the barracks as they stood, but the foundations had given way, and they could not therefore leave the troops there with safety to their physical condition. In 1851 there was a competition for the building of Cavalry and Infantry barracks, and prizes were awarded. The prize for Infantry barracks was gained by the gentleman who had the superintending of the building of Chelsea Barracks, though not exactly upon his plan. It was understood that whoever got the prizes would be employed to build barracks. Mr. Wyatt, a gentleman of great experience and ability, got the prize for Cavalry barracks, and he had a claim on the Secretary of State to be employed whenever a Cavalry barrack was going to be built. When a Cavalry barrack was to be built at Nottingham he received from the then Secretary at War—Sir George Lewis—the assurance that his claim was admitted. When it was proposed that these barracks should be rebuilt, he might perhaps have said that it was rather a case of re-construction than of re-building; he did object to have an encumbrance of this kind hanging over him in the nature of a claim which had been admitted for 20 years, he therefore sent for Mr. Wyatt. He found him most ready to enter into terms; and, therefore, so far as architecture was concerned, he could say, the building would be in the hands of one of the most competent architects England could produce. He had been employed in every part of England, and the houses he had built fully showed his skill in his profession. It was said they might go to Chelsea; but if the barracks were objectionable on their present site, might they not be equally objectionable in Chelsea? Besides, although Chelsea might be very healthy for boys, it did not necessarily follow that Chelsea would be equally healthy for the Household Troops. Why remove them from their present site if they could find sufficient accommodation? Hon. Members who came from that neighbourhood spoke of the site as a most unpopular one for the Guards; but he rather thought otherwise. He believed it was very grateful to the public to see the troops pass, and those who frequented the Park at early hours must often have seen the people standing in front of the barracks to hear the band play. That, perhaps, was a small matter; but he did not see why, without cause, they should make any change in that respect. He might go further. He objected very much to the terms in which his hon. Friend had couched his Motion. They were not justified by the Report he quoted; and, so far from there being special objections to these barracks the word "especially" applied to Portman Street Barracks, and for reasons given in that Report, such as their being surrounded by high houses which obstructed the free air. An enclosed yard to which objection had been made, would be entirely obviated, because the barracks would practically form an open street with one entrance in the Park and the other in the road, instead of the present narrow, dull, heavy square. They would get rid of one of the most objectionable features in the present arrangement—he referred to the fact that the officers' apartments were over the infirmary. The barn which disfigured the Park would be moved away, and in its place good and ample accommodation would be provided for the forage for the troops. A hospital of a larger kind would be provided, to be shared with the Foot Guards, where the troops would probably receive greater attention. All these great improvements would be effected. Having, therefore, a site unobjectionable in itself—for the barracks had not been proved to be any nuisance to the neighbourhood, though no doubt the new barracks would be a great improvement in that respect—and it should be remembered that the barracks were not brought to the neighbourhood, but the houses in the neighbourhood had come to the barracks, he thought it a little strong to say that the barracks should be removed for the benefit of the neighbourhood. The street would be widened. Twenty feet would be taken off the very widest part; but it tapered away to absolutely nothing, and the road throughout would be 60 feet wide. Of course, he did not wish to incur the expense of putting plans on the Table before he knew that the House would sanction the proposal; but if his hon. Friend would call on him he would be happy to show him the plans. He had carefully considered the whole of this subject. He was responsible for the health of the men, and he believed every measure had been taken to secure their health. With regard to any apprehensions that the services of the troops might be required to be used against our own people, everybody knew that in a metropolis like this a certain number of bad characters might congregate that would require military force to disperse them, and there was nothing more calculated to save human life when the military was called on to aid the civil power than the use of Cavalry instead of Infantry, who were too often obliged to fire to effect that purpose. With regard to recruiting, he would reserve much of what he had to say until he made his statement on the Army Estimates. A proposal had been made for training boys for the Army; but although it was perhaps not an impracticable one, it would involve a serious outlay—as much as £60, probably, for every recruit of 18 years of age. Then it was suggested by the hon. and gallant Member for Renfrewshire (Colonel Mure) that men entering the Army should be required to show certificates of good character. If the hon. and gallant Member had known as much about "characters" as he (Mr. Hardy) did, he would probably not have expressed so high an opinion of their utility. A case which had occurred in a village of his acquaintance illustrated rather forcibly how such a proposal would work. A man of notoriously bad character, who was mixed up in most of the mischief of the neighbourhood, took it into his head that he would emigrate. Well, to be assisted by the Emigration Commissioners he required to have a character, and accordingly he went round to the farmers and other people of respectability in the parish, begging them to testify to his good behaviour, which they all did. They gave him a character such as nobody had ever seen or known of before for excellence, in order to get rid of him. No one was more astonished at this result than the man himself, and after looking at his certificate, with its long list of signatures—"Well," said he, "I had no idea I was so much esteemed in the neighbourhood; I think I shall stay." He did so, and no one could breathe a word afterwards against him, because he had this written character stating what an excellent man he was; and it would be something of the same kind if they insisted upon characters with the recruits. A man who made himself obnoxious in a particular neighbourhood and who proposed to enlist would seldom find any difficulty in procuring one. He had given an unusual amount of information in the Estimates this year, which had been used in the speeches that had been delivered before he had had an opportunity of saying a word; but he would reserve his reply until the House was in Committee. He now came to the statement of the hon. Member for Maldon (Mr. Sandford), and on this point he could only say that both the military and civil authorities were determined as far as possible to put down such offences as had been described. The punishment inflicted had been spoken of as small, but dismissal from the Army was a very serious thing. It remained as a stigma on a man's character for the rest of his life, and operated as a serious warning to others. No man set his face more sternly against such offences in the Army than the Commander-in-Chief, and whenever they were brought under his notice they would assuredly not be lightly passed over. For his own part, although he deprecated any discussion in that House on the discipline of the Army, he was not at all sorry to have his attention called to particular cases that occurred, and he could assure hon. Members that officers who misbehaved themselves in any way would find in him a stern judge.

ARMY — MILITIA QUARTERMASTERS— PENSIONS.—OBSERVATIONS.

Mr. W. PRICE rose to call attention to the case of the Militia Quartermasters. The hon. Member stated that the full pay of those officers, after serving 40, and in some instances 50, years, 20 of which had been spent in the Line, was only £73 a-year, and that was utterly inadequate, as they had to support the rank of captains in the Army. He presumed that the subject had been carefully considered by the right hon. Gentleman, and, therefore, it was not his intention to move any Resolution, but he hoped some statement would be made on the subject.

Mr. STANLEY explained the case of the Militia Quartermasters. It had been determined some time ago, and he believed it was agreed to by successive Secretaries of State, that it was not expedient to continue the appointment of Quartermasters, as such, to Militia regiments. Under Lord Cardwell's scheme it was decided that there should be a Quartermaster to each brigade depôt, and that he should perform the duties of Quartermaster of Militia. It was true that the pensions were not on so liberal a scale as he personally wished; but when taken in comparison with the other branches of the Service they were in fair proportion, and there was no reason to suppose that the Quartermasters were in a worse position than other officers. He could not admit the analogy to the special retirements given to the late Militia Adjutants. The duties of the Militia Quartermasters were being more and more transferred to the Quartermasters of the brigade depôts. The right hon. Gentleman the Secretary of State for War had carefully considered the question, but he had not felt himself justified in coming to the House for an increase of the allowance to Quartermasters.

Main Question, "That Mr. Speaker do now leave the Chair," put and *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Mr. GATHORNE HARDY said, in moving for the first Vote under the Army Estimates it was usual to make a statement as full as possible as to the condition of the Army, and the proposals which the Government had to make respecting it. He hoped the Committee would do him the credit of saying that in the Estimates which he should put before them there was more plainness, openness, and completeness, than had appeared before. There was an index which would enable anybody to find in a moment what was there referred to, so that any hon. Member would have no difficulty in ascertaining any point which he might have to consider. He regretted very much that it should be his fate to produce before the Committee enlarged Estimates; but again he might ask the Committee to consider the course he had taken in the last two years. During that time, at least, he had not asked for Supplementary Estimates, and he had not exceeded the Estimates assigned to him. That there had been difficulties which caused him some uneasiness he admitted.

He wished to pass over some of the subjects on which he had been addressed, not to get rid of them, but as not being directly connected with the Army Estimates. First of all, promotion and retirement. That question was being most exhaustively and thoroughly considered. That it had become important no one who looked at the position of the officers of the Army could for a moment doubt. Stagnation of promotion was growing rapidly in it—much more rapidly than was expected. At the present moment there was no doubt that great numbers of officers were holding back in order to see what the terms might be on which they might be able to retire. He considered himself bound, as he thought every Secretary of State would be by the pledge given by his Predecessor on the abolition of Purchase—that care ought to be taken that promotion should be as adequate under non-Purchase as it had been under Purchase. That pledge was practically given by Parliament as well as by the Secretary of State, because that was the foundation of the scheme—that promotion should not be suffered to lag behind, but kept up at the same rate as it was before. Therefore, in any proposal he might make for dealing with the subject when they had the Report of the Commission, the evidence, and the actuarial calculations, he should endeavour to effect that object to which his Predecessor pledged himself.

The question of Paymasters had been hanging over, and he considered that it was wrapped up with the question of retirement. At all events, there would be great difficulty in dealing with it finally, unless upon the principle of coming to a decision either that they were or that they were not to assist retirement. His own impression was that they ought to assist retirement. They ought to take great care in appointing Paymasters taken from the Army that their fitness was carefully tested; they should not take them as a matter of course, but require that they should show their competency before they were admitted to the functions of the Paymastership.

He would dismiss, as rapidly as possible, what he called the non-effective Votes, because really these were not very much in their power. There was one point on which the Committee would agree with him in rejoicing that it could be done—that great numbers of officers on half-pay without their own fault had been brought back to full pay. As many as 80 officers had been brought back in this way, and it was a matter of justice to them that they should again have an opportunity of serving their Queen. This had been done so cheaply that he was sure the House would not grudge the small sum of money expended to complete the changes relating to Adjutants in the Militia.

The hon. Member for Glasgow (Mr. Anderson) the other night, in speaking of desertion, mentioned a subject which was apposite to a good deal that had passed to-night, and he should take into consideration the suggestion thrown out of marking on the arm, so that everybody should show that he had served his Queen. The honourable profession would not be disgraced in any way by that kind of treatment, and he believed that this might tend to limit the operation of military law as at present. There was another point. In the case of recruiting sergeants finding a deserter and informing against him, they got a greater reward than when they enlisted him. He was far from saying that a sergeant would enlist a man, if he knew him to be a deserter; but if he got a larger amount for detecting the deserter it would keep him on the alert, and tend to check the practice of desertion which was too prevalent at present.

There was another question which was not included in the Estimates, but it affected the amount that was wanted, and that was the Purchase Commission.

He was happy to say, from the information he received from the Commissioners, that they would not require so much this year as last by £172,370, and as the Exchequer receipts would also be in excess of last year, there would be a deduction of nearly £200,000 on that account, which he hoped would balance some of his smaller excesses. As he had usually mentioned the question of fortifications he might now state that, with the exception of one at Spithead, the whole of the forts to be erected under the loan would be completed by the end of 1876-7, and would have a portion of their more important armaments mounted. Last year, when a great deal was done in the way of facing the forts, £230,000 was spent, and he hoped the fortification loan would be brought to a conclusion without exceeding the original Estimates. There was a mistake in the Chaplain General's salary which he should point out. The salary had been put down at £1,000, instead of £800, to which the amount was lowered when Mr. Gleig left, he having received the higher salary under exceptional circumstances.

He now came to the question of the Medical Department, in which since 1873 there had been a good deal of agitation as to the merits of the old regimental system and the staff arrangements, with the general and larger hospitals now in force. He thought the time had come when he ought to pronounce his opinion, and he had come to the conclusion that the idea of going back to the regimental system after what had been done was simply out of the question. It was impossible that it should be done without making re-arrangements and alterations which could never work in time of war. The system which he had approved enabled them to utilize the services of medical officers at the places where they were wanted; whereas under the regimental system they were bound to have medical men in particular positions where they might not be wanted. But by the control which the Head of the Department had in bringing those men to places where they were particularly wanted he was able to have a much larger consulting staff, to select the best operators for one class of cases and the best physicians for another; while he had in those large hospitals means and appliances in abundance which it would be impossible, without enormous expenditure, to have in the smaller hospitals. He believed that the effect of all these advantages would be that the health and efficiency of the soldier would be improved. The Staff system also had the advantages of bringing under the eye of the Chief of the Department everyone qualified to rise; and under the system which he had to propose the principle of selection was one which would conduce to making the higher ranks of the Medical Department more efficient—though he was far from saying they were not efficient now—and of enabling promotion to go on more rapidly and more in accordance with the deserts of the men; and that it would enable them to pass by those who did not wish to go forward, while others would have the opportunity afforded them of obtaining that to which they would be entitled if they continued to serve—namely, a pension. There were two points that were brought prominently before him with respect to the Medical Department—first, the want of candidates to enter the service; and, secondly, the want of promotion for those who were in it. These points he hoped to meet by the scheme he was about to lay before the House. He approved, then, of the general hospital system, and he ventured, with great distinctness and plainness, to say that he was not prepared any longer to listen to complaints on that subject. He had come to a conclusion upon the subject, and it was a conclusion on which he meant firmly to act. His new scheme was this. He proposed most liberal terms. The candidates who would have to undergo a severer examination would, on entering the service, have £250 a-year from the beginning, and at the end of 10 years they would be presented with £1,000 on leaving, and the heads of the Medical Department would have the power of selecting from among them such a number as would be sufficient to fill the vacancies in the higher ranks and to keep up the flow of promotion. That might be regarded as being a very dear system; but he believed it would ultimately be found to be a cheap one. In the first place, much less would come upon the non-effective Vote; and, in the second place, the localization or mobilization scheme would be assisted by the fact that there would be numbers of medical men who would be able to act upon an emergency, and who, although, because of being married or from other causes, they might desire to retire at the end of 10 years, yet would continue to retain their military predilections, and would not regret to find themselves again among their old comrades. Then, the sum of £1,000, though not a very considerable amount, was one which might enable a man to purchase a practice, while it would be known throughout the country that the service was a good service, that the pay was fair, and that it opened to those who were clever and skilful in their profession the prospect of promotion by selection. But, in order to carry out the scheme fully he must go a step further, and he proposed that those who went on after the 10 years, for the first two years should have their pay increased and should have 17*s.* 6*d.* a-day; that at the expiration of 12 years they should become surgeon majors with £1 a-day; and that five years after that they should have £1 5*s.* a-day. By diminishing the supply below, too many would not be brought into the upper ranks. The bottle was a good deal larger than the neck, and as they could not force all the contents into the neck at once, they must draw some off below, in order to get a fair proportion above. In that way the most expensive retirements would be diminished. He should not on the present occasion enter into details which would appear in the Warrant in due course; but he might mention that if a man during his 10 years of service should, from sickness or otherwise, require a provision for retirement at certain periods, he would receive a portion of the £1,000, so that he would not go away as a pauper, but as a man who had done something for his country. The medical officers then would have £250 a-year for 10 years, £320 for two years after that, beyond that time they would have £365, and after five years more £1 5*s.* a day, or £456 a-year. A good prospect would, therefore, he thought, be held out to them. Those who were going on would be placed still more advantageously than those who left, for they would attain rank, more money, a pension, and what men liked in that profession as all others—distinction, the distinction of selection and due reward for the services they rendered to the country. He would add to that the £40 a-year they received for quarters and the £18 for servants. Think what it was for a young man to secure those prospects, and what inducements would be held out to the medical schools to send some of their best young men to us. That had not been the case, for they had 45 vacancies the other day, and only 12 candidates, some of whom had been rejected on former occasions. In some cases, he was sorry to say, they had been driven to accept medical men about whom he might have doubts. At all events, he did not think the Army ought to be obliged to take a low class of medical men in any respect. It ought to get its pick, because they had very delicate and difficult services to render, and very great dangers to encounter; though it should be remembered, to the credit of medical men, how large was their loss in proportion to that of the combatant officers. He proposed, he might add, that Surgeons General and the Deputy Surgeons General should retire at the age of 60 instead of 65, and that their retirement should be compulsory, without any exception, for the making of exceptions only tended to all sorts of inconveniences. Great pressure was sometimes put on the Department to retain men under special circumstances; but it was better that they should receive just compensation for the net loss they might sustain, as would be granted in the present instance on account of the substitution of the age of 60 for 65. He hoped the Committee would see that the proposal which he had sketched was a fair one. The non-effective Vote would, of course, be now increased by the fact that a certain number of men would have to retire at the age of 60, and it would go up for a certain number of years, but it would then begin to diminish again. Up to 1880 it would, he thought, practically remain at about the same point, £90,000 or £91,000; but that was the whole Vote, and was not all caused by these changes. The effective Vote, which was about £200,000 this year, would vary also; but if the system of which he spoke went on it would in 1912 be £150,000 instead of £200,000. He could not, he might add, hope to please everybody; he had long ago given up the idea. As for pleasing all the members of the medical profession, that was also a thing he was afraid he could not accomplish. He had read a great many pamphlets on the subject, and he had been very slow in arriving at a conclusion with regard to it; but every sort of scheme had been tested by calculations, and he must say that that which he had laid before the Committee seemed to him to be the most effective, and likely to be the most beneficial to the soldier. By its means educated, earnest, and able men would, he believed, be induced to enter the Army, some of whom afterwards the heads of Departments might feel justified in promoting to very difficult situations.

He would now pass from the Medical Department to the Auxiliary Services. With respect to the Yeomanry, he had last year the services of a Committee, to which the country was greatly indebted, for they had investigated the questions relating to the Force at much inconvenience to themselves. That Committee had come to conclusions on which the Department had acted. That was to say, they had determined to treat the Yeomanry as Light Cavalry. The appendage of guns was one that could not be continued with advantage to themselves; and, therefore, with great regret, and with due acknowledgment to those who had maintained and served in those branches of the Yeomanry Corps, they had, for the advantage of the Service generally, got rid of the cars used by the Wiltshire Yeomanry, the Artillery of the Buckinghamshire and Essex, and the dismounted men of Northumberland. Again, they had improved the position of the Adjutants in pay and allowances. So, also, with the permanent Staff. He was aware that the Yeomanry had been made the subject of a good deal of remark; but on consulting military men they found that in the event of that necessity which they all hoped would never arise, of meeting an attack upon this country, the Yeomanry would be in many places of the greatest advantage, from their knowledge of the country and the skill with which the greater number of them could ride. This was not a very easy country to ride over, and it was not a bad thing to have people who, wherever they put them, would be able to ride well.

He must next refer to the Volunteers. To the estimate for that force was added £20,000; but let the Committee be satisfied, for it was entirely in consequence of increased efficiency. He had received very good reports of the Volunteers; but he would not enter into details until the Vote itself was under discussion. He would then be able to show that they had improved greatly in many respects. They had taken very much to camping out and got more drill in the course of a week than they used to do in months, because they were under good Staff officers, were intelligent men, and picked up a knowledge of drill a great deal faster than people thought. In 1873 there were 58 camps; in 1874, 69; and in 1875, 77 camps; and there was a steady increase in the number camping out from 19,000 in the first of those years, to 27,000 in the second, and 31,000 in the last. The progress made in their training would, he hoped, be satisfactory to the country. Again, it was proposed to put the Adjutants on a footing which he trusted would be satisfactory to them. The old Adjutants would be allowed to continue to serve on the old terms, but newly-appointed Adjutants would be treated in the way proposed. The Adjutants of Volunteers would henceforth be relieved from the duty of recruiting, for which, in fact, they had little time.

Now he came to another part of the Army which might be said to be both Auxiliary and Regular—he meant the Reserves. The Reserves, he might remark in passing, were not his Reserves, but had been instituted by others—first by General Peel and then by his noble Friend who was at the head of the War Department in the last Administration (Viscount Cardwell). Everybody admitted that if Reserves could be got they could not have more efficient soldiers. The men would have served six years in the Army, and consequently would, on joining the Reserve, be from 24 to 26 years of age. If they could have them available and to be depended upon, no one could say that they were not most efficient men. Everybody felt, however, that the appearing for pay, and that in advance, was not the sort of appearance which the Reserves ought to put in. Everybody also felt that there were many difficulties in calling out men who were in business and different occupations for any long period of time. Everybody would likewise, he thought, agree that when the men were called out they ought to come, and that if they did not come they ought to be treated as deserters. He wanted to impress on the minds of hon. Members that the Reserve men ought to be treated not as civilians playing at soldiers, but as soldiers on furlough, and that being soldiers on furlough they ought to answer to the call, whenever it was made. He admitted that the pay they received was not very large. He admitted, too, that perhaps there were not all the inducements which might be held out to them in comparison with other services. Therefore, he proposed to increase their pay, and, at the same time, to increase the stringency of the conditions. If any of the men did not like to take the additional pay under the new terms, he should not compel them to do so, for he thought it especially desirable to keep faith with soldiers. He proposed that in future the men, instead of being paid in advance, should be paid in arrear. At present they got £1 to provide themselves with necessaries, and they were then paid a quarter in advance; after which we lost sight of them, and they might be anywhere at the end of the quarter, and might not have done a day's work for the money. He proposed that they should be paid every two months, and that they should appear at the end of each year to be medically examined, in order that we might not keep men who were not fit to remain in the service. When the men came up at the end of each year they would receive an additional 2*d.* a-day or about £3, from which sum, however, he proposed to deduct the £1 now allowed for necessaries, because that £1 was practically not expended in necessaries. He proposed instead that when the men were called out for active service they should have a free kit. In the autumn he hoped they would answer to the call; but they would be sent back to their business as soon as possible. He wanted to see them; and when an Army Corps was mobilized this year, it was intended to call out also a certain number of the Army Reserve. He hoped that they would appear in their places; and he would take care that no unreasonable service was put upon them, and that they should get back as soon as possible to their avocations. The men must keep the War Office informed of their places of residence, and when they came to the mobilization they must bring with them what was necessary—namely, shoes, two shirts, and two pairs of stockings. There was an increase in the clothing Vote, and part of that was to be attributed to the necessity of clothing those men when they came up, but the sum was not a large one. This year the additional expense of the Reserve would be practically nothing; but when all the 84,000 were called out they would cost £255,000, and if available they would be very cheap at the price.

Now he would pass to the Militia. Although disparaging remarks were sometimes made on that Force, even the hon. Member for Hackney (Mr. J. Holms) must admit that the Militia, considering the amount of drill it received, presented a very creditable appearance. The recruits had three months' drill and one month's training. He should like to add to what he said the other night the authority of two very distinguished officers. General Knollys, who had had a great deal to do with the Militia during the Crimean War and afterwards, had written to him that he was ready to bear testimony to the fullest extent as to the excellence of those troops, and the rapidity with with which they could be brought to efficiency. Again, Sir Thomas Steele, the General Officer in command at Aldershot, stated that many of the Militia regiments at Aldershot would, with very little additional training, be able to take their place by the side of the Regulars, and he added that in general appearance, drill, and discipline they were highly satisfactory. . A good many questions had come before him as to the billeting and encamping of the Militia. The proposals of his noble Friend who preceded him in office was that training barracks should be erected in certain places for the Militia. He was sorry that more of these barracks had not yet been provided; but the truth was that great difficulties had arisen in coming to terms about land. Still, the erection of barracks was being pressed on, and he hoped that in many instances there would be training barracks to which the Militia could be sent instead of being exposed unnecessarily to camp life. As for billeting, he was most anxious to get rid of it wherever he could. In connection with the Militia, he might mention that its

Medical Department had been transferred to the Medical Vote. He should have a few words to say later on respecting the mobilization; but he desired now to remark that his proposal would necessarily involve some Militia regiments being brought to the head-quarters named for them. This, he believed, they would readily agree to. A great many questions were daily arising about the Militia, and he had felt a great inclination to do in regard to them what he had done with the Yeomanry last year—namely, to get a certain number of Militia officers to confer with those who were qualified at the War Office, in order to consider such questions as recruiting, re-enrolling, quarter-masters, and a variety of other subjects constantly pressed upon him. Thus the Committee might next year have before them information concerning the Militia that would to some extent perhaps obviate the difficulty which might exist at present of the Militia recruiting interfering with the Army recruiting. Nothing would give him greater pleasure than to have a training in the Militia before a recruit was taken for the Army; but this he thought was almost impossible, and, after all, he believed that they now got from the Militia those men who were inclined to join the Army. However, it was a question he would re-consider hereafter. Coming to the expenditure upon Brigade depôts and other works for the localization of the Forces, he might state that already as much as £2,500,000 out of the loan of £3,500,000 was actually pledged, and that the other £1,000,000 would be spent.

With regard to tactical stations, it had been found almost impossible to establish a very large one, with all the necessary conditions, in the North of England. There would, however, be stores and barracks at York; and one advantage in this location was that it was acceptable to the people of the City, and they had no wish to get rid of it. Knavesmire would, he hoped, afford great facilities; and arrangements had been almost made with the lord of the manor for the purchase of Strensal Common, 1,150 acres in extent, and situated four miles from York, and he understood that they would find the railway companies and other people very accommodating. Having failed in getting a tactical station on a large scale, with 4,000 or 5,000 acres, in the North of England, he turned his attention to Aldershot, and he hoped that negotiations would be concluded which would enable the War Office to acquire 6,600 acres for the use of the troops there. At present the difficulties of moving the troops there were great, and were daily increasing from the purchases of land and the inclosures that were being made in the neighbourhood. It had been necessary, in order to obviate these difficulties, to bring in Bills, not for the purposes of the Autumn Manœuvres, but even of the ordinary summer drills. The additional acreage would give great facilities in manœuvring the troops. He mentioned this to the House, although, under the Act, he could divert the money sanctioned for the purpose of the station in the North to the acquiring of additional land at Aldershot, with nothing more than the assent of the Treasury, and he hoped that this assent would be given. The Votes for Provisions and Forage were high. Forage was not quite as high as it was last year, but it had made a frightful difference in the Estimates both last year and this. The increased cost of forage this year would be £37,000. With respect to clothing, it was absolutely necessary that they should have a certain amount of reserve, and it was for that reason that that item was increased. He did not think they should go on in a hand-to-mouth system with respect to clothing, which they might suddenly want to increase without the power of doing so; but it would be seen from the amount stated that they did not want to have a very extravagant amount of reserve. Stores were, no doubt, very high; but it must be remembered that there was a repayment of £25,000 less this year. The Admiralty had an excess of £77,000 over last year, and it took of this Vote altogether £309,000. He now came to another increase which arose from peculiar circumstances. The War Office were led to believe that India would last year require a much larger number of Martini - Henrys than she actually needed. The consequence was that what she was intended to take we should have to pay for from Imperial funds, and that amounted to £80,000. Another sum of £45,000 was passed over from last year to this, and was not a real increase, Altogether there was a sum of £243,000 mainly due to exceptional causes.

As to works, he was anxious to keep the charge as low as possible, and accordingly had restricted them to sanitary requirements, such as married soldiers' quarters. An hon. Member had called his attention to cases of overcrowding. He was glad that he had done so, and he intended to stop it. But with respect to the general subject of married soldiers' quarters, they were getting rapidly an Army of short service, and in time they would have a great number of soldiers, who had no claim to marry during the period they were in the Army. In ordinary life young men of that age were seldom very prudent if they married. He did not condemn them, because he was afraid it he did he should be condemning himself; but, though he did not want to lay down a rule that people should not marry unless they could fulfil certain conditions to the satisfaction of the Government, still they must remember that those men were only to serve six years, that they would leave you at 25 or 26 years of age, and that, therefore, you could not be called upon to provide a large amount of married soldiers' quarters. The provision for married soldiers under the long-service system was for 7 per cent; but under the new system they would not have the same number of soldiers who might be considered of a marriageable age, and who, therefore, would be entitled to be married. He was sorry to put the least check on anything that might tend to morality or to the stability of soldiers as reliable men; but he suggested whether the country ought to be called upon, under the short-service system, to build a large additional number of barracks for men who had not such special claims in respect of marriage as they might have under a system of long service. We should take care that our soldiers were well provided with quarters; but he trusted that might be done by diminishing the number we required and extending the area for married soldiers. There was one small item in connection with building which it had appeared to him was worth incurring for the sake of doing a kindly act to one of our colonies. The noble Lord the Governor General of Canada (Lord Dufferin), to whom that result was chiefly owing, wrote him a letter stating that Quebec was to retain its ancient fortifications, which were a great ornament to the city, but that it would be necessary to make several gates in the walls in order that access might be had to the streets. Lord Dufferin thought that he (Mr. Hardy), on the part of the British Army, might present the city with one of those gates, and the noble Lord proposed with great good taste and feeling, and with a desire to draw together the bonds of the English and French settlers, that it should be called the Wolfe-Montcalm Gate, after those two illustrious men who, though they were opposed in arms, were equally celebrated for the gallantry of their conduct, for their high and noble dispositions, and for the generosity they always displayed to their soldiers and to each other. It struck him that the Committee would not be disinclined to sanction this expenditure. It would amount to only £200, and would be most grateful, he believed, to the French Canadians, as well as to the descendants of those who had gone out from among ourselves.

He came now to the great question how to keep up our Regular Army. He could not shut his eyes to the position in which he should have stood next year if nothing had been done now, and thought it would be imprudent to delay till then any proposal for encouraging recruiting, but that any experiment should be tried in the year before the great pressure came. For this reason he proposed certain changes, which he hoped would tend to bring additional men, and, to some extent, superior men. On a question of pay, however—*Vestigia nulla retrorsum.* If the pay were once given, they could never recall it. They could not break faith with the men once they had given it. Many would say that he had dealt with them in a rather niggardly way; but he had acted to the best of his judgment and upon the best advice he could take. He had had advice from soldiers and from civilians well acquainted with the Army, and their opinion was that the propositions he was about to make would supply the deficiencies which they might expect in future years. The hon. and gallant Member for Galway (Captain Nolan) had called attention to the youth and physical qualifications of the recruits who were received at the present time, and he said, with perfect justice, that to a certain extent the War Department were able to obtain better information than the House. The Recruiting Return which the Inspector General had placed on the Table of the House was as much in the possession of the Committee as in his own; but, at the same time, he had, in consequence of communications with the Inspector General, endeavoured to obtain, as far as possible, accurate information to give to the Committee with respect to the recruiting of last year, and in a little more detail than the House could have had it otherwise. In the countries to which reference had been made — France, Germany, Italy, and Russia—the system of police inspection enabled them to know every man's age, and, with conscription, they could fix the age at which they wanted recruits, and at once lay their hands on the men they wanted. It had been shown by discussions in the House, and he believed it would be shown by discussion in Committee also, that this country was not prepared for conscription; and therefore he had to deal with this question as one that concerned a Volunteer Army. Though he might wish in some instances —he would not say in all—to get men of 20 years of age, he was not dissatisfied to take them at from 18 to 19; and of this he was quite sure, from what he had heard from his gallant friend at the head of the Recruiting Department and from Cavalry officers, that those officers did not wish to see their recruits so old as 20, as they believed they could teach riding better when the men were younger. He had heard himself an officer say to a young man—"You are over 20; it will not be easy to teach you how to ride." He believed the Cavalry officers were satisfied with younger men, because they could teach them more easily to ride than if they had stiffened more into form, as they would when they had reached the age of 20. When the recruits of 18 or 19 arrived at 20 they were, as regarded their physical condition, much superior to the men that were picked up at the latter age, for they had had a training specially fitting them for their work. They were physically developed—they were trained soldiers; whereas the man you got at 20 must have his year's or half-year's training before he was fit—he would not say physically—but in all respects to do duty as a soldier. He did not agree with his friend Sir Lintorn Simmons that no one was fit to fight until he was 21. He was strongly of a contrary opinion. He had known distinguished officers who had led young men into action with satisfaction to themselves, and he had heard Sir Garnet Wolseley say—"Give me young men; I like to lead them." And why? Because they would yield to discipline; they would be more amenable to drill, and would be more readily trained to be soldiers than older men. If you caught them young they might have some difficulty at first in carrying their knapsacks; but the time would speedily come when they would be disciplined men and physically fit to take the field. The Committee perhaps thought that we were below all other nations in the conditions in which we got recruits. But what were the facts? And first as to height. The minimum size of recruits in Austria was 5 feet 1 1-5 inches; while we doubted about taking an officer, who might perhaps be mounted on horseback, at 5 feet 2 inches. In France the minimum was 5 feet 2¼ inches; in Germany, 5 feet 1¾ inches; in Italy, 5 feet 1½ inches; and in Russia, which approached nearest our own standard, it was 5 feet 4¾ inches, and rather more for the Sappers. It was quite true that in Austria, France, Italy, and Russia the men must be 20 years of age at the period of the conscription. In Germany they must have completed 19, so that there in age they were nearer to ourselves than in other countries. He would like, if he did not weary the Committee, to give them some idea of what he had gathered on this point from the Returns furnished by the Colonels of different regiments. Let not hon. Members turn away and say—"Oh, they only know what the recruits tell them." That was all very well, but if we said—"Don't take recruits under 20," we should have just the same difficulty; the recruit when asked his age would say he was older than he really was. But hon. Members could make all the allowances they thought necessary on this point. Well, in heavy Cavalry the average age of the recruits of 1875 was 20 years 7½ months; height, 5 feet 9 1-20 inches; width round the chest, 35 19-20 inches. We need not be ashamed of such men. For the medium Cavalry, the average age was 20 years and 9-10ths of a month; average height, 5 feet 8 1-12 inches; measurement round the chest, 35 7-30 inches. For the light Cavalry the average age was 19 years 7 2-7 months; height, 5 feet 6 4-5 inches; round the chest, 34½ inches. Such was the class of our recruits belonging to the Cavalry. He told the House last year his experience at Aldershot, and Cavalry officers, in answer to his inquiries, had informed him that they had no reason to be dissatisfied with their recruits, and he hoped the Committee would not be dissatisfied either. He came now to the Artillery, and he wished they had more of them; because it was in that branch of the Service that the greatest difficulty of getting men was experienced, and it was in that branch that the greatest number of desertions occurred. The hon. and gallant Member for Galway (Captain Nolan), who was a distinguished member of that Force, would feel with him the great importance of restoring that most important arm to a better condition. But when the hon. and gallant Gentleman complained that we did not propose to give additional ready-money pay to the Artillery as well as the Guards, he might remind him that the Artillery had a higher rate of pay than the ordinary regiments of the Army. [Captain NOLAN said, he had not urged that point.] Then he must have mistaken the hon. and gallant Gentleman. It might become necessary to give them higher pay in future, but he hoped not. No doubt the desertions from the Artillery were very great. The work was, however, very heavy, and it required very large and strong men, and they could not expect to get men of that class without paying for them. Well, the average age of the recruits for the Royal Artillery was—gunners, 20 years 9 months; drivers, 20 years 6 months; the average height—gunners, 5 feet 8½ inches; drivers, 5 feet 5 inches. The average chest measurement was 35⅝ inches and 35¾ inches respectively. Now, according to his view, these were recruits of which the country need not be ashamed. For the Royal Engineers the average age of recruits was—Sappers, 21 years 2 months; height, 5 feet 7 inches; chest measurement, 34¾ inches. The average age for drivers was 19 years 7½ months, height 5 feet 4½ inches, round the chest 35⅛ inches. For the Foot Guards the average age of recruits was 20 years 3½ months, average height 5 feet 9 1-5 inches, round the chest 35⅝ inches. For the Infantry of the Line the average age was 20 years, height 5 feet 6⅜ inches, round the chest 34½ inches. For the Rifles (60th Regiment and Rifle Brigade), who were generally smaller men, the average age was 19 years 10 months, height 5 feet 5 1-5 inches, round the chest 35 7-25 inches. These were the average ages, heights, and chest measurements of the recruits we got last year. He knew that averages were rather uncertain, and he therefore felt it right to ask for the two extremes, as he did not wish to delude the Committee. Excluding the boys he found that there were 213 aged from 17 to 18, 4,787 from 18 to 19, and from 19 to 20, 3,967. The oldest among last year's recruits was 25 years of age; but, of course, there were very few of such men, and there were 135 up to the age of 24. Therefore he might expect that the recruits of 1875 would be efficient men, and such as they should not be ashamed to see in the ranks.

Having said so much on that subject, he would now state that he proposed to add somewhat to the first 18 regiments for service abroad, and he did so on many grounds. Everybody was aware from the newspapers of the difficulty which we experienced—and it was a real one—when any regiment was going out to the Colonies or to India, to get it up to the required strength in time. We necessarily had a number of recruits not in a condition to go abroad. What was the consequence. They had to draw on other regiments, either by calling for volunteers or upon the linked battalions. There was nothing so disheartening to commanding officers as to see men filched away from one regiment to supply other regiments when they prided themselves on the efficiency of their own. It had happened that a regiment had gone to India in the Mutiny, having been denuded of its best men by volunteers to other corps, and they found themselves fighting beside another regiment in the highest possible condition, filled with their own men who had volunteered, while they themselves were in an almost decrepit state. It was galling to the officers, and still more so to the men, for it discredited their regiment when it would really have been in the highest state of efficiency had it not been deprived of men to fill up the ranks of other regiments. It was, therefore, thought desirable that there should be a long period of recruiting—namely, from the time that regiments got on the roster for Indian or Colonial service—and in this way to meet the difficulty to which he had referred. He did not propose to go into the market as if he wanted 3,000 men at once, but to get them gradually. Nothing could be more objectionable than raising a large additional number of men for the Army in undue haste; and, in fact, the sudden increase in our military force a few years since by 20,000 men had done an injury from which it had not yet recovered. He could assure the House, therefore, that if they granted him the increase in the number of men he asked for the number should be increased gradually and as opportunity offered. It was true we were not at war. He hoped with all his heart war might never happen while he held that office, or in the time of his Successor. He believed there never was a more peaceful War Minister than the one who now held the Seals of office. He had no desire for war; but he had a desire that the machine entrusted to him should be in as efficient a condition as possible; and he knew if we were called upon, not to engage in a large war, but in a small one, it would be discreditable if we were not found thoroughly prepared. He asked whether it was a creditable thing to this country that when we went to war with Ashantee, we should have had to resort to the practice of drawing men from one battalion to fill up the ranks of another. Thus, when we were sending out the 42nd Regiment we had to draw men from the ranks of the 79th to raise the former to fighting strength. It was a strong proof of the love the men entertained for their own regiments that, on their return from Ashantee the men who had been so transferred from the 79th to the 42nd were anxious to resign all the special distinction they would have enjoyed by remaining in the latter in order to get back to their old regiment, and he thought it was only a fair reward to those excellent men to gratify their wish in the matter. That circumstance showed how very distasteful it was to the men to be drawn away from their own regiments to serve in others. It was with the wish to avoid those unpleasant contingencies that he desired to raise a certain number of regiments up to a more full complement. It must also be remembered that we were under numerous Treaty engagements and other obligations that might render it desirable to have a small force in readiness to act without delay, and if we had one or two well equipped Army Corps of full strength in addition to the three regiments of the Guards, we should have an available force of something between 30,000 and 50,000 men. The maintenance of such a force could not be regarded in the light of a threat held out towards any other Power; and, indeed, it was simply carrying out a part of the original plan contemplated by the noble Lord who preceded him in office, when he effected the changes he had done in our Army. His proposal then, as appeared from the Report of the Localization Committee, was that the first 18 regiments on the roster for foreign service should be raised to the strength of 820 men each. At present we had only four regiments of that strength. It had been proposed then also that the next 18 regiments should consist of 700 men; but, in fact, we had no regiment at all of that strength, a few of them numbering 600, and the rest 520. He was not going so far as was originally projected by his noble Friend; but he was taking only those first 18 regiments, because with the Guards we should have a very respectable Army Corps with full equipment and ready for foreign service. Then came the question, how were we to get the men? There were two inducements that could be held out to men to enlist in the Army. The first was that which had been pressed upon his attention ever since he had held office by the hon. and gallant Member for Galway, and which, had it not been for circumstances over which he had no control, he would have held out last year—namely, that of putting the non-commissioned officers in a better position, so as to induce them to remain in the force, and so as to offer greater prizes to well-conducted men in the ranks. The second inducement was to increase the pay of the men themselves. Nothing had done the Army greater injury than one fact to which he would direct attention—namely, that those who might have been very well off, or fairly off, and who having squandered what they had were reduced to beggary, were pointed out as men neglected by their country, and held out to young men as having been left in a miserable condition after serving in the Army. There were men who left the Army who had had but a small pay, and although he would not go so far as to say that they could not save, still they could not save a great deal, but might put something by day by day, if they chose to do so. There were military savings banks in which they could place their money; but possibly—that was a subject worth consideration—it would be for the benefit, both of the Army and of the country, if those savings banks were consolidated with the Post Office Savings Banks. If that were done, he believed it would give a greater feeling of security, and the soldiers would feel that they were acting together with the whole country when going out of the Army if they could, as *quasi* civilians, draw their money from the Post Office Savings Bank like other people. There might, however, be difficulties in such a change which fuller information might disclose. He intended to give the men 2*d.* a-day deferred pay, which would amount to something like £3 a-year, so that at the end of their six years of service they would on leaving the Army be entitled to the sum of £18, which would enable them to obtain a start in life. He proposed that the men should not be paid the whole of that sum upon their discharge, because it was a great evil that the moment men were discharged there were persons who fixed upon them as long as they had anything left, and consequently they returned home to their relations with ruined health and in a penniless condition. He therefore intended that the amount of the deferred pay should be divided into two or three sums, which should be paid through the Post Office Savings Banks, at the places where the men intended to reside—the men of course continuing in the Reserve and still receiving the pay of 2*d.* a-day. It was a well-known fact that recruiting for the Royal Marines had been easier than for any other branch of the Service; and that was because, as the men had no opportunity of spending their money when on board ship, they frequently took home with them on their discharge comparatively large sums which they had saved during their term of service, and this circumstance induced young men to join a branch of the Service in which so much money was to be gained. By the course he proposed to adopt our soldiers would return to their villages with a whole year's pay in their pockets, and this would, he hoped, be the means of inducing others to enlist. Then he thought we treated them rather hardly in another way. When a soldier had his full pay formerly he had to find everything; but since we began to furnish him with rations, instead of giving him 1*s.* 6*d.* a-day on furlough, which included the cost of the rations, we gave him only 1*s.* 2*d.* But as it was of benefit to them and to the Army that they should have those little holidays, we proposed to add to their pay 4*d.* more. When, therefore, they went on furlough they were to have 1*s.* 6*d.* instead of 1*s.* 2*d.* The item, which this addition represented, was not large; but it was given for the welfare of the soldiers, and put them on the same footing when they were in the Service and when they were at home. Those were the experiments which he proposed to make upon the Army generally.

Then he came to the question of the Guards. He quite admitted that when the pay of the whole Army was raised to 1*s.* a-day the Guards actually lost nothing, but relatively they were worse off than the Line by 1*d.* a-day, which they had always received above the ordinary pay of the rest of the Army. The reasons for the Guards receiving superior pay was obvious—thus, they were men of greater stature than the ordinary soldier, and therefore more difficult to get; their clothing was more expensive, and their continual residence in London entailed additional expenses upon them. Under these circumstances, he proposed to increase their pay by 1*d.* a-day, so as to restore them in this respect to the position, relatively to the rest of the Army, they had formerly occupied. The Guards were 400 or 500 short of their complement; and therefore it was absolutely necessary to take some steps of this kind to induce men to enlist in these regiments, because, as they were always the first on the list for foreign service, it would be unreasonable not to keep them up to their full establishment strength. This increase in the pay of the Guards would cost £8,000 a-year. They would also have the deferred pay; and he hoped that, as the soldiers of our Army saw funds accumulating for them at the rate of £3 per year per man, they would hesitate before they deserted from the Service. For it must be borne in mind that desertion would result in the absolute forfeiture of every penny of deferred pay. It was hoped that by this means considerable loss would be avoided. When a soldier deserted he frequently took his kit and other property with him; and, even if he did not go this length, there was the cost of providing a successor to him, and much inconvenience arising therefrom. This deferred pay, then, would be a safeguard against evil, and would at the same time act as an encouragement to the soldiers. If hon. Members would look at the desertion Returns for the past year they would find that the total number was less by 1,000 than last year. There was, however, too large a number, and it included several cases of what might be called skilled desertions—a class of offence which must be put a stop to by some means. Those who might be most properly termed deserters were those who ran away in the second or third year of their service, and this class of offence would most probably be checked by the knowledge in the minds of the men that in proportion to the length of their service was the amount of their deferred pay accumulating, and therefore the greater their loss as the penalty of desertion. No doubt this system would cost money; but against that must be placed the fact that the expense of filling the places of deserters would not be incurred, and the morality of the Army would be improved. The cost of deferred pay in the present Estimates would be very small—not more than £6,000. In the case of the Guards the amount of the additional 1*d.* would be £8,000. The Imperial charge next year would be about £31,000, the year after £65,000, and when the normal condition of things arrived, the amount would be £329,000; and he therefore quite admitted it was a question which the House had a right to weigh, because it was a growing payment, although he believed it would be a cheap payment if it secured the object he had in view. He further assumed that it would in the end diminish to a certain extent the pension list, because it would diminish the number going out on pensions.

The next proposal he had to make was one to increase the pay of non-commissioned officers, and this would involve an extra expenditure of about £104,000; and a sum of £39,000 would fall upon the Indian Government. He proposed that sergeant majors should receive 6*d.* additional pay; that sergeants should receive 2*d.* additional, and after two years' service in the ranks, 4*d.* That was to say, their present pay being 1*s.* 11*d.*, with the addition of 2*d.* it would be 2*s.* 1*d.*, and after two years' service it would be 2*s.* 3*d.* Corporals were to receive an additional 1*d.* a day. They were allowed to keep their good conduct pay, which the sergeants were not. From the increased pay of 1*s.* 4*d.* or 1*s.* 5*d.* a-day they would be advanced, after two years' service, to 1*s.* 5*d.* or 1*s.* 6*d.* a-day. Another proposition was with regard to lance corporals and lance sergeants. At present, a private who was thought well of by his officers was made a lance corporal, if he chose to be one; but he got nothing for it, though he had the invidious duty of keeping up discipline among his own late comrades. He trusted, therefore, it would be considered a reasonable request that he should receive payment for those services. He proposed, therefore, to increase the pay of these officers to the present pay of their substantive rank, so that lance sergeants of Infantry would receive 1*s.* 11*d.* and lance corporals 1*s.* 3*d.* per day. This would offer an inducement to smart soldiers to accept positions which at present they were often very unwilling to fill. Holding, as he did, that the stability of the Army depended very much upon its non-commissioned officers, he was most anxious that they should be fairly treated and induced, if possible, to remain in the service of their country. He proposed further to improve the position of the Staff sergeants, who were the picked men of their rank in the Army. Under existing arrangements the allowance made to these men for lodgings was altogether inadequate; and he should therefore ask the Committee to consent to a Vote which would raise the allowance of Staff sergeants in the first class from 8*s.* 6*d.* to 12*s.* 3*d.*, and in the second class from 4*s.* 3*d.* to 7*s.* per week for lodging money. About £1,500 would cover this payment, and he believed it would give the greatest satisfaction to a most estimable body of men.

There had been a good deal of talk now and again of our Volunteer Force being organized "not for defiance, but for defence," and he could assure the House that the mobilization scheme had been entered upon strictly with a view to the defence of the country. It had been prepared with the view, if ever the necessity should arise from a hostile invasion, that there should be no confusion and no difficulty; that every man, whether in the Regular Army or in the Auxiliary Forces, should know the head-quarters to which he must repair; that not a moment should be lost in finding out what he had to do, and that he should at all times have before him clearly laid down where he was to go. He could assure the House that no labour or pains had been spared in making those arrangements. Every time-table had been arranged and every route prepared by which the men could be brought to their proper head-quarters in case of necessity without delay. The hon. Member for Hackney (Mr. J. Holms) had said that it was a scheme not worthy of a school-boy; but whether that were so or not he (Mr. Hardy) at least could not help seeing the labour, the toil, and the intelligence devoted to it by those who had worked out its details. He did not suppose they were so proud of their work as to think it incapable in every particular of amendment; but no one could deny that great care and enormous diligence had been exercised in its preparation. He proposed to call out two of those Army Corps (at some period which, of course, he could not indicate), and bring every man in them to the head-quarters assigned to him, so that they might see what appearance they would present under such circumstances, and not with a desire or with a view to putting their forces on a war footing. The hon. Member for Hackney, in two speeches which he lately made, accused him of that intention, and he said in one that they must increase their Militia to 250,000 men, and in his last speech—at Manchester—he gave somewhat different figures, and said 221,640 men. Neither of those figures was correct. The hon. Member in his hurry had evidently made the mistake of reckoning up each Army Corps as if it were composed only of Infantry. He forgot, too, that Militia regiments could not be increased, except within certain boundaries and within the limitations of the law. Those 104 Militia battalions and 64 Regular battalions made up 168, just the number for making eight Army Corps; but they had no idea of filling those Corps up to what might be considered technically their full number. That was never intended. What they wanted was a system on which all this work might be based; and without any very extraordinary expenditure they would create *cadres* which might afterwards, if requisite, be filled up. It was not intended to use more than the number taken in the Votes of last year—namely, about 134,000 Militia—and they believed that with that force they could do all that they expected to do with all those Army Corps. One word as to the long distances which it was said some of the men would have to come. That was an arrangement that might be altered again and again. The hon. Member spoke of the hardship that would result from bringing men from Scotland and other remote localities. The regiments themselves took a different view from that taken by the hon. Member, and would think themselves ill-used if they were left out. In fact, one colonel wrote to complain that his regiment was not brought down into the South of England, where the fighting would be sure to take place. The best military authorities were all of opinion that if an invasion took place it would be between the Wash and Plymouth. He did not say that there might not be a diversion in the Highlands; but if there were he should take care that action should be based upon that fact; and, further, that the regiments of which the Scotch were so justly proud should be sent without delay to the Highlands, where it could not be doubted they would fight like true Britons in defence of the mountainous and wooded country which they loved so well. But, to return. They had had to deal with Regulars, Militia, Volunteers, Yeomanry, Pensioners, and Reserves, and had found places for them all. The Volunteers were selected for coast and garrison duty, and had been so treated out of no disrespect to them or distrust in their zeal. With a view, however, not to press too hardly on them, one-fourth only would be taken into service at a time, and three-fourths would remain at home. He wished to add that there were some Volunteer Artillery and Engineer corps which they might not be at all ashamed to place in charge of guns. His gallant friend, Mr. Darby, deserved the greatest credit for the organization of his Corps, and it was known that the feats performed by the Sussex Volunteer Artillery had rivalled the performance of the Regular Artillery. They had tried to increase the number of such corps, and had found regiments ready to change their condition and become Artillery and Engineers, and thus render themselves more adapted for the service which might be required of them than they could be as Infantry only. Many of the men were employed in the kind of work which specially fitted them to be Engineers, such as mining, quarrying, and other heavy work in which they had to observe engineering rules, and these men, as sappers, miners, and gunners, would be most useful for coast and garrison service.

Such was his proposal. It might be a mistake. It was to be tested. All those things were tentative. He spoke in the name of those military men who had put the scheme on foot. For himself, he was only responsible for having adopted it, thinking it would be an admirable one, and for bringing all the forces at their disposal into the best position for the work required of them. He by no means thought the scheme a perfect one. Defects had been pointed out which might easily be remedied; but he thought it most desirable that officers and men should be ready—that they might be able to say to every General, every Colonel, every man—"This is the place to which you are to go;" that without confusion, hurry, or fuss, those who were to proceed to the front should go there, while other Army Corps might fit themselves as rapidly as possible. Some of the Army Corps would be ready at once to take the front, and the others would be drilled so as to be fit in a few weeks for active service; and no invasion could be successful in that time, or in as many months if the Fleet was in its place and did its duty as they all knew it would.

He thought he had now gone through all the subjects on which he wished to touch. He was afraid he had wearied the House by so much detail; but he wished the Committee to test everything he had done. He had done nothing for concealment—all was as open as the day. If the House of Commons voted anything he asked they should do it with their eyes open. What he asked them was to pursue a system the expense of which he did not say they had seen the end. It would be large; but its object was to render every branch of the Service efficient. To improve the contentment of the Army, to prevent desertion, to improve their reliefs for India, and to prepare here in case of danger a certain number of regiments always ready, were the first objects he had in view. All this he had done with no offensive intention to any foreign Power; on the contrary, with a great desire to preserve peace, but with a great desire, too, that England should be known not to be giving up the position to which she was entitled in Europe and in respect of her colonial possessions. They claimed the right, without insult or threatening to foreign nations, to bring into as good a condition as possible their Volunteer Army, and so to prepare for the defence of their country, of their colonies, and of India, and for the fulfilment of any Treaty or other obligations that they might be called upon to recognize. They wished to be able to say to all the world that without excessive expenditure England would never be wanting in that due expenditure which would make her armies as efficient as they had been in times past; that they would not be sent forth merely to earn a transitory and temporary glory, but to do their duty to a country the stability of which interested not only herself, but all the world. The right hon. Gentleman concluded by moving the Vote for 132,884 men.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 132,884, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1876 to the 31st day of March 1877, inclusive."

Mr. PEASE expressed his regret that so few Members were in the House when the right hon. Gentleman rose to make his Statement. There were at the outset but seven Members at the right hon. Gentleman's side of the Table, and not more than double the number on the other side. It was due to the right hon. Gentleman to say that he had never listened to a more able or interesting statement, and he deserved the thanks of the Committee for the manner in which the Estimates had been prepared, and the digests which had been furnished. The right hon. Gentleman had proposed a large increase in the number of men for the Army, and a correspondingly large increase in the money for their maintenance. He told them at the close of his speech that this increase was needed to guard against panic, to guard against invasion, to relieve our Army abroad, and to keep up the honour and dignity of the country. For these purposes he asked for a force of 526,000 men, the largest force that this country had ever been asked for at any time, and was certainly, in his opinion, larger than the country required. In 1873, the last year of Lord Cardwell's administration, the cost of the Army was £13,231,100; in 1874 it was £13,293,800; in 1875, £13,488,200; and now, in 1876, it had risen to £13,989,000, being an increase in three years of £750,000, while the Army Appropriation Accounts had not yet been laid upon the Table. The Army Estimates having increased by £750,000, the Navy Estimates had also gone up £1,500,000 during the same time, besides a deficit of £281,000 in the Navy Appropriation Accounts, being altogether an increase in these two Services of £2,400,000. At present it appeared that there were 95,000 regular troops at home, besides 30,000 of the reserved forces, and the Militia, Volunteers, and Yeomanry were all declared to be in an efficient and satisfactory state. For what was all this money to be spent? To guard against panic, to prevent invasion, and to sustain the honour and dignity of the country. Taking the panic argument first, he would ask what was a panic? It was, he believed, a sudden fright. Well, we had several panics of late years. We had one in 1858-9 when the French officers were denouncing this country for having given an asylum to political refugees. That panic brought into existence an army of Volunteers amounting to 180,000 men. But the panic was groundless. We had lived to see the Emperor Napoleon, then upon the Throne of France, a refugee in this country, and his son was lately a cadet at Woolwich. In 1858-9 there was another panic, in consequence of the taking of several persons from under the protection of the British flag on board one of our vessels. The Government sent 10,000 men to Canada to overawe the United States, which had 800,000 men ready shortly afterwards. Well, the presence of the Volunteers did not allay the panic. Another panic occurred at the outbreak of the Franco-German War, when Lord Cardwell asked the House to vote £2,000,000, and to increase the Army by 20,000 men, who still remained on the Army List. The argument now was that the Army was to preserve us from invasion. He confessed he looked around in vain to discover from what quarter we were to be invaded. Her Majesty, in her Speech from the Throne, spoke of her relations with foreign Powers as being "most cordial;" and yet the way in which we repaid our neighbours for their friendliness was to propose an increase of our Army to guard against invasion, which was, under the circumstances, an insult to the Powers with whom we were on such cordial relations. There were only three or four Powers in the world from whom an invasion could be, with any possibility, expected—Germany, France, Russia, and America. The last two might be left out of the calculation entirely. France and Germany were armed to the teeth against each other—one to retain the provinces she wrested from France during the war, the other to regain those provinces whenever they thought they were strong enough to make the attempt. There was not the slightest possibility of our being invaded by either country while such was their attitude to each other. He would add that France and Germany should be a warning to us against large armies and huge armaments. As regarded this country, the panic argument and the invasion argument fell together. There never was a time when, apparently, we were more free from attack and when our diplomatic intercourse was carried on in a more conciliatory spirit. With respect to the relief of our Army abroad, Lord Cardwell was quite satisfied with a smaller Army at home for that purpose, and the requirements then were the same as they were now. The honour and dignity of the country were not consulted by maintaining unnecessary armaments in time of peace. By so doing we were acting in violation of the teaching of political economy, and we were inflicting upon our population the evils of war in time of peace. An Army expenditure of £15,000,000 was an insurance premium out of all proportion to the risk we were running. We were asked to spend £1,000,000 more than last year and £2,400,000 more than four years ago, and that at a time when the state of trade made it absolutely necessary we should economize. A Liverpool merchant said the other day—"Two years ago we were living on faith, last year we were living on hope, and this year we are living on charity." At the same time, while trade was falling off and the country approaching a state of stagnation, the requirements of modern society were largely augmenting local burdens concurrently with this increase of Imperial taxation. The demand for public education, for the Poor Law administration, for lunacy boards, and for sanitary boards was yearly increasing, and he said the country could not afford at the same time to spend in a time of peace such large amounts upon an Army far larger than we required. He proposed to reduce the Army by 10,000 men. The right hon. Gentleman had confessed that he had a great many men whom he would like to get rid of, and that he would be glad to obtain the services of a better class. Then why did he not get rid of the objectionable men? But what was the right hon. Gentleman doing? Why he was raising the pay of the men. It seemed to him that when doing so he was bound to reduce the number. He had come to the conclusion that whether they looked at the state of things abroad or at home they were not justified in voting these large Estimates. Perhaps the great majority of the Committee would be against him—still he felt bound, on behalf of his constituents and the country, to raise his voice against this extravagant expenditure, and which was not needed, looking at the state of the country or at the state of Europe.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 122,884, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1876 to the 31st day of March 1877, inclusive."—(*Mr. Pease.*)

Sir WALTER BARTTELOT said, it was all very well for the hon. Member for South Durham (Mr. Pease), who felt all the comforts of peace, to make such a Motion; but the old adage still held good—the best way of maintaining peace was to be prepared for war. The hon. Member proposed to reduce the Vote by 10,000 men. Would he say from what branch of the Army they were to be taken? Was it from the Infantry, from the Cavalry, or from the Artillery? That question had been formerly pressed upon the hon. Member for Carlisle (Sir Wilfrid Lawson), who was obliged to admit that he had not considered it, and the hon. Member for South Durham seemed to be in the same position. The speech of his right hon. Friend the Secretary for War was one that would do him credit not only with the Army, but also with the country. He had clearly stated the views for an expression of which they had been looking forward for some time past. He said the other night he was determined to do away with that feeling of anxiety with regard to the Army which caused men to say they did not know what would happen next; and he (Sir Walter Barttelot) hoped he had gone far towards removing that feeling. He had determined that the deficiency in the number of medical officers should no longer exist, and he had laid down principles which would obviate the scandal that in the absence of candidates the authorities had been compelled to accept the services of men they had formerly rejected. That was most lamentable, and it was not fair to the Army. The new scheme of his right hon. Friend he hoped would have the effect of preventing the recurrence of such a state of things. The scheme was a fair and a liberal one, and he hoped the medical profession in the Army would be satisfied, though whether it was the best or not he would not now argue. One of the questions in which the House was most deeply interested was that of the Reserves. The whole case of the noble Lord who brought in the short service rested on the Reserves. Had matters gone on as they were now, he felt certain the Army of Reserve when called out would not have been found. But by increasing their pay from 4*d.* to 6*d.*, and by allowing deferred pay to accumulate for men now serving and to serve in the ranks, they had now a chance of getting that Reserve which the country wanted in case of emergency. There was one point here, however, on which more explanation was required. His right hon. Friend said those Reserves were to be called out for a certain period every year. The time now was only 12 days, and that time might well be increased; but, if the men were found up to the mark, they need not be kept out. They might be dismissed to their homes as soon as they were pronounced efficient. There was one point which his right hon. Friend had missed altogether, and that was with regard to forage allowance to Field Officers. He said forage was never so high as at the present moment, and he was now giving a Field Officer 1*s.* 10*d.* a-day for forage, but it could not be bought for the money now given. The increase of pay to non-commissioned officers was one of the best things proposed by his right hon. Friend. It would give universal satisfaction to that class of men who were, in fact, the backbone of the regiment. He did not think his right hon. Friend had increased their pay too much; but the increase was fair and liberal, and he believed the non-commissioned officers of the Army would feel that tardy justice had at length been done to them. He did not observe from the Estimates that his right hon. Friend had dealt with a grievance which was felt from the want of room in the Royal Academy at Woolwich. [Mr. GATHORNE HARDY said he had.] He was very glad to hear it. It was not right that four cadets—young fellows who might be from Eton, where they each had a separate room—should be placed in one room. That was an evil that ought to be remedied. He was also glad to learn—although upon this point it would be premature to express any definite opinion—that his right hon. Friend intended to call out two Army Corps; the whole country would then know what the mobilization scheme was, and could judge what its effect would be. On one important point his right hon. Friend did not touch, except in an indirect manner—namely, the arming of our soldiers. The Martini-Henry rifle was, no doubt, a weapon wonderful in its performance when in good order; but when he asked the Surveyor General, year after year, how that weapon was going on, the reply always was it required a little repair, and that 2*s.* 11*d.* would cover the whole expense. That little alteration, however, would require an expenditure of £75,000. In the Malay expedition it had not answered the expectations of the officers. It had a trick sometimes of not going off when required, and also of going off when not required. This subject required careful consideration from the authorities. The spiral spring in the lock, which was apt to become loose or rusty, was, he thought, fatal to this weapon. But having once been adopted, it was rather difficult to get rid of. For himself, he would say he would rather to-morrow go into action with the old Snider rifle than with the Martini-Henry rifle. Our soldiers should be armed with the best weapon we could find. He hoped his right hon. Friend would look closely and fairly into this matter. They must all have admired the clear, able, and straightforward manner in which he had brought forward these Estimates, and he was quite sure he would do nothing which he did not believe would conduce to the best interests of the Army and the country.

MR. CAMPBELL-BANNERMAN said, he would add his testimony to what had been said in praise of the very full, clear, and candid statement of the right hon. Gentleman. He only regretted that it was delivered at a time when so few Members were present to hear it. The principal measures which the right hon. Gentleman had brought before them were the additional pay to the non-commissioned officers, the grant of increased pay in the shape of deferred pay to the entire Army, and a slight increase of pay to the Guards. With regard to the first, he was very glad that the right hon. Gentleman had seen his way to propose it. Three years ago, when a small addition was made to the pay of the Army at the time that the ration stoppage was abolished, the late Secretary of State had it in contemplation to improve the position of the non-commissioned officers; and it was his intention to apply to this purpose the balance of the sum which would ultimately be saved by the lapse of the re-engagement penny—the part of that sum which had already accrued having been taken to the credit of the stoppage arrangement. He (Mr. Campbell-Bannerman) mentioned that, not in the least by way of detracting from the credit due to the right hon. Gentleman, but only to show how sincerely he could express his agreement in the policy the right hon. Gentleman was pursuing. He (Mr. Campbell-Bannerman) trusted it might have the effect he contemplated —of increasing the attractiveness of the Army —and he would congratulate the right hon. Gentleman on having his name associated with so useful an improvement. As to deferred pay, no doubt there was a great deal to be said in favour of the theory; but there were two considerations, which he would urge as having some weight on the other side. In the first place, were they sure that the men to whom they would offer it would understand and appreciate it? The men knew what it was to get money in their hand, and sometimes, unhappily, made a bad use of it; but would they appreciate the fact, and would it have the effect we expected if they knew, that at the end of their service a certain sum would accrue to them? Another point was—it was one of the advantages of deferred payment that it gave us a certain hold over the men. That particularly applied to the Reserve. If a man knew that at the end of his term of service he would, if he conducted himself well, be discharged with a certain sum of money in his pocket, we should have a hold on him which we had not at present; but we could not have a hold upon him without, to some extent, his having a corresponding hold on us; and he (Mr. Campbell-Bannerman) thought that difficulties might arise in some cases in consequence of a man's conduct, near the period when a large sum of money would be due to him, being such as to render it undesirable that he should be retained. Difficulties of that kind occurred in the case of an established workman who was going on pension, with whom we could not deal so freely as with a man hired in the open market. This objection, however, to deferred pay was not an insurmountable one. As to the additional penny which the right hon. Gentleman proposed to give to the Guards, was he quite sure that it would cure the evils from which they suffered? The Guards had a stock fund, which had been abolished in other regiments, into which payments were made by the public, and with which they conducted their own hospital arrangements and recruiting. He (Mr. Campbell-Bannerman) wished to know whether the inquiry which had been instituted into that anomalous system had been continued; and also whether explicit instructions had been given to the Colonels of districts to give every facility in their power to the recruiting of the Guards? It was quite true the Guards had to keep themselves in a smarter condition than the rest of the Army; but surely their recruiting ought to be assisted by their prestige and by the fact that they had the very best quarters in the Army; and he was disposed to believe that if recruits were not obtained in sufficient numbers for the Guards, it was not so much owing to inadequacy of pay as to the fact that they were shut out from the benefit of the general recruiting machinery of the Army, and especially from the district recruiting. He thought no objection could be made to the proposition to give an addition of £2 a-year to the Army Reserve, because the better we made their condition the stronger would be the call we should have upon them. He did not think they should be called out for more than 12 days, because otherwise we should seriously interfere with their civil employment. We called them out, not so much for the purpose of drilling, as to see them assemble and ascertain their condition. He had little to say as to the mobilization scheme. The right hon. Gentleman had bestowed great labour upon it. It might be necessary for the military authorities to know where each regiment of the Militia and the Line should go on the outbreak of war; but why should the information be published on the house-tops? He did not see any particular advantage in every man in every regiment in the country knowing where he should go. It appeared to him that all that was required was that the authorities in the War Office should know where a regiment should be ordered to go, and have their plans ready for execution at a moment's notice. What was said as to the general condition of the Army, he thought, must be satisfactory to everybody. The right hon. Gentleman appeared to him to take precisely the right line with regard to the condition of the Army. He was neither too sanguine in his estimate of it nor did he yield to those exaggerated criticisms which were common out of doors. As to the proposition made by his hon. Friend behind him (Mr. Pease) to reduce the number of men by 10,000, it did not appear why his hon. Friend had selected that number; indeed, his argument was almost in favour of disbanding the Army altogether. Her Majesty's Government must know better than the House or any private individual what was the state of political affairs; and therefore he (Mr. Campbell-Bannerman) felt very much disposed to bow to their opinion as to the number of men that ought to be voted. There was only one other subject to which he wished to allude—namely, the medical department of the Army. Nothing had delighted him more for many a day than the decided tone in which the right hon. Gentleman had spoken on the general hospital system of the medical department; and notwithstanding the pressure that had been brought to bear upon the right hon. Gentleman, he felt sure that the more he looked into the question and consulted the competent authorities, the more he would see the absolute necessity of the Staff system. His proposals for improving the position of the medical officers appeared to be excellent. One suggestion which he would venture to make, with a view, not, perhaps, to its immediate, but its ultimate adoption, was that the medical officers who went out of the Service after 10 years might be employed for the Militia and the Brigade Depôts, whereby, while discharging those duties, they would have the opportunity of settling in practice in a country town. In referring to the medical department the right hon. Gentleman expressed the opinion—which it was to be hoped he would bear in mind in connection with the greater questions of Army promotion and retirement—that it was dangerous to enter a great number of young men at the bottom, because they would have to provide for them when they attained higher rank. That was a consideration which lay at the basis of all sound schemes of promotion and retirement.

COLONEL NAGHTEN offered some suggestions in regard to recruiting. He recommended, among other things, that after serving three years in the Militia any man who wished to join the Regular Army should have his bounty paid to him partly on joining the Regular service, and partly on completing the period which he would have completed if he had remained in the Militia. He also thought that, instead of enlisting immature youths in the Army, it would be better to enlist them in the Militia even under the present standard; and then three years afterwards, when they had developed considerably, they would be fit as well as pleased to join the Regular Army as grown men, and would have a liking for the Service. In his opinion, the Militia ought to be made more a nursery for the Regular Army than it was now. He thought it would be well to remodel the Ballot Act so that it might be used, if required, and in the meantime to do everything possible to encourage men to go into the ranks.

MR. SULLIVAN said, he hoped that although it was a Colonels' night a few words from a civilian would not be inacceptable to the House. He recognized the difficulty of the position in which an English Minister of War was placed. By means of conscription vast armies were being organized on the Continent of Europe, and industry and trade were crushed under overwhelming armaments. The question was, whether England was to obey her peaceful instincts, or take part in the mad competition for inflated armies? As a compromise, we were making a halting step towards adopting the new system; but there was this difficulty to face, and he had not yet heard any one attempt to grapple with it. If England was to take part in that wild struggle for military supremacy, what was to be her position as an industrial country? He could understand that the Secretary for War, in view of the great military strength of continental Powers, had a patriotic desire not to see his country altogether unprepared for the possibilities of an evil day; but it was idle to pretend that if England had to encounter the armies of the Continent it was merely upon her military strength that she could rely. With regard to the mobilization scheme, he might observe that the Irish Militia were singularly neglected, and whether that circumstance was due to political considerations, or the mere accidents of military strategy, he had yet to be informed. However that might be, the foreigner who criticized our new military system would be at no loss to notice that in Ireland, once our best recruiting ground, not one of the native Militia regiments was to form part of the local Army Corps. It was all very well for a Minister to pet certain classes of people in the country; but in the end the people themselves would turn upon the system under which the process was carried on. Underlying the whole subject before the House there was the great question—How were we to get men? One thing he could tell the Secretary for War was that branding in the Army would not help him to get recruits—it would, at all events, not help him to get recruits in Ireland. It was a painful fact that while they were adding to the Army at one end it was falling away at the other; desertion, in fact, was nearly keeping pace with recruitment. But it was not from an exclusively military view that this subject was to be regarded, and he invited the Committee to inquire how it was, after all that had been done to increase the comfort of the Army, that we found it harder to get soldiers to-day than 50 years ago, even although the requirements of height and physical development had been gradually lowered. What had become of the splendid material that fought the British battles 40 or 50 years ago? How came it to pass that it was so difficult to recruit now as compared with former times? It was because the rural population of the country had disappeared into the large cities and towns, and because the conditions of life, the sanitary conditions of the humbler classes, were not conducive to the production of a military race. He made no reflection on the men of the cities and towns; many of the greatest battles in the world were fought and won by them, and the Royalist forces were defeated by the Parliamentarians. Nevertheless, it was only in the green fields and the cottage homes of the country that stalwart class of men could be produced. How came it that they were gone? It was because in England, as well as in Ireland, within the last 50 years a terrific revolution had swept the people from the fields into cities and towns. This great change had not been so much felt in England, which had big towns like London, Manchester, Leeds, Sheffield, and Birmingham; but in Ireland the change had been keenly felt, because they had no Manchesters and no Birminghams to absorb the thrust out population. In Ireland what were the chances of recruitment? While the whole population were in a state of discontent and dissatisfaction they need not expect their chances as to recruitment to improve in Ireland. He knew something of his people, and he knew something of the excitement among them whenever a great military question arose. They knew they were not trusted by the Minister for War, because there was no Volunteer force in Ireland. The best military strength that they could supply would be to satisfy the Irish people and make the military service popular in Ireland. They could not get what they wanted by offering 2*d.* more a-day, and he said to the Government—"Do not think that Irishmen, at all events, are to be won merely by 1½*d.* or 2*d.*, with the advantage of branding into the bargain." If they had to call on the arm of Ireland for aid or defence, it could not be given while the people entertained their present feelings; and, without any reference to a question of money, the sense of national honour and duty would induce them not to enter in any considerable numbers into the military strength of the Empire.

COLONEL EGERTON LEIGH said, he did not agree with the hon. Gentleman who had just spoken. He had had several Irishmen under his command, and he was very much pleased with them, and he believed that they were well pleased with him. He would not wish to have better soldiers than Irishmen. It was said that grumbling had made England the country that she was; and if grumbling could do anything for the Army it would be one of the greatest armies going. It was, so far as he could see, in anything but a bad way, and he thought the changes now proposed by the Government would be great improvements. He was particularly gratified at the increase of the pay of non-commissioned officers, and he should like that those of them who had been a certain time in the Army should have a pension. It was said that England was at peace with all the world; but she was never absolutely at peace, and within the last six months had been on the point of war with China and Burmah. An immense country like ours must always expect to have some little or great war on hand, and we ought to be prepared for any emergency which might arise.

MR. J. HOLMS said, that as it was desirable to have further time to consider the very important statement of the Secretary for War, and also the important Amendment of his hon. Friend the Member for South Durham (Mr. Pease), he should move that the Chairman be ordered to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Holms.*)

MR. GATHORNE HARDY said, he hoped the Committee would grant a Vote for the men that night. The information which had been in the hands of hon. Members was very full, and was quite a guide to them; and therefore he could not see that there was any ground for stopping the discussion at that hour —half-past 11 o'clock. If the Committee came to a conclusion that night it would enable the House to go on with the Mutiny Act, which was this year important in connection with some questions affecting the Militia.

MR. WHALLEY supported the Motion to report Progress, on the ground that the hon. Member for Hackney, who had been so frequently referred to in the course of the debate, was entitled to get time to consider his reply. He complained that the Secretary for War had omitted all reference to the Volunteers, upon whom the country must rely for its defence, and declared that nature was against the maintenance of a standing Army in England. The speech of the hon. Member for Louth (Mr. Sullivan) was well worthy of consideration. It showed that there was an enemy in the very citadel. He was reminded of what the Duke of Wellington once said, that he would not have Roman Catholics in the Royal Artillery or Engineers, simply because of their uncertain allegiance. The older Members of that House had been striving to conciliate by civil means, and also by religious concessions, that particular section of the community, and yet they were now told there was discontent.

THE CHAIRMAN: I must remind the hon. Member that it is not considered a convenient course to discuss the main Question in detail on a Motion to report Progress.

MR. WHALLEY said, what he had stated was only by way of parenthesis. He was quoting the authority of the Duke of Wellington. How could an Army be relied upon that numbered so many in its ranks who did not recognize the supremacy of the Sovereign?

MR. ANDERSON said, he thought that it would save time by reporting Progress at once, because it was quite evident there were so many Members who desired to address the Committee that the Vote could not be taken to-night. He might say, at the same time, that nearly all the proposals of the Secretary for War, being in his opinion reforms, would have his support, though other important subjects had been raised which required most careful consideration, and he certainly could not agree in the proposal to increase the number of men.

THE MARQUESS OF HARTINGTON said, he thought it was hardly possible to take the Vote to-night. It was always understood that the discussion on the first Vote extended over a wide range of subjects; and he did not think that the right hon. Gentleman would wish to limit a preliminary discussion which would, perhaps, facilitate the progress of the remaining Votes.

MR. DISRAELI consented to postpone the Vote till Monday, when the Committee would be taken as the first business.

Question put, and *agreed to.*

Committee report Progress; to sit again *To-morrow.*

COUNCIL OF INDIA (PROFESSIONAL APPOINTMENTS) BILL.—[BILL 69.]

(*Lord George Hamilton, Mr. William Henry Smith.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord George Hamilton.*)

MR. FAWCETT, in rising to move "That it is inexpedient to pass this Bill, as it would throw an additional and unnecessary charge on the Revenues of India," said, they had heard of a horse being re-sold with his colour changed, and that transaction represented with considerable accuracy what had been done with that Bill. On the 25th February last year a Bill entitled "The East India Home Government (Pensions) Bill" was introduced. That Bill passed its third reading, and at the very last moment the hon. Member for Reading (Mr. Shaw Lefevre) discovered that it was so badly drawn and its real nature so little understood that he got it postponed till the following Thursday. It was then recommitted, but finally withdrawn. It appeared again in July last in a new form and with a new title—"The East India Home Government (Appointments) Bill," and it now came before them as the Council of India (Professional Appointments) Bill. He would put a difficult question to the Government, What was the reason of all those ungracious devices? Why this indecent haste to give pensions to men who were not entitled to them? Those were plain questions, and he hoped the House would support him in opposing the Bill. It was difficult to say what the Bill would do and what it would not do. In 1869 a Bill was introduced in this House, and passed through both Houses, providing for appointments to the Council of India, and the provision being large during the tenure of office, that no person should be entitled to a pension, even if his office were abolished. And that Act further provided that no man should hold the office beyond a certain number of years. Notwithstanding, that Bill was brought in to give pensions to members of the Council who were appointed under the Act of 1869, and it would contravene that Act if the House allowed it to pass. The appointments under the Act of 1869 had been eagerly sought for; and he must say that the course now proposed was most undignified. If a Cabinet Minister went out of office he was not entitled to a pension, and yet this Bill proposed to give pensions to men who took office on the express condition that they were not to be entitled to retiring pensions. If we were so careless about granting pensions in India, and so indifferent to the extravagant expenditure of the government there, what would the people of that country think of our guardianship of their interests? They would not be mollified by the association of their country with the Imperial titles of the Sovereign. He begged to move the Amendment of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to pass this Bill, as it would throw an additional and unnecessary charge on the Revenues of India,"—(*Mr. Fawcett,*)

—instead thereof.

Lord GEORGE HAMILTON said, the hon. Member for Hackney was mistaken in supposing that the Bill introduced in July last was the same as that brought in last February. It was quite different, and only withdrawn because it was thought that the Treasury would be embarrassed by the interpretation which it placed upon the Superannuation Act. The Bill had now been introduced in order to secure the services of the best possible men on the Indian Council. There was no difficulty in getting old Indians to join the Indian Council, because they came home with pensions, and, added to that, £1,200 a-year for 10 years as members of the Council. But there was a difficulty in getting gentlemen of legal attainments not old Indians to come on the Council, because only £1,200 could be offered to them for 10 years, with no pension. The Bill, therefore, simply proposed that the Secretary of State for India should have power to appoint certain gentlemen of professional attainments for 15 years, with pensions of £500 after 10 years' service, and it was believed that this was the cheapest way of obtaining legal advice. With respect to the increase of the home expenditure for India, no doubt that had been very large since 1857-8 up to the present time, but the whole of that increase was for the purposes of the Government in India, and if the Indian Office here was abolished to-morrow, these charges on the revenue of India would remain for purely Indian purposes. The guaranteed interest on railways was a very large item. The interest on the Debt had increased from £670,000 in 1856-7 to £2,300,000, owing to the expenditure necessary to put down the Indian Mutiny. The charge for stores was also high; and so long as stores could be obtained cheaper in England than in India he trusted they would always be procured at home. There was, however, one item of cost which the Indian Government could control, and that was the charge for administration, which exhibited a decrease, although the work had increased enormously. In our department only the number of despatches had increased eightfold during the last 20 years. In 1856-7 the cost of the Home administration was £179,849; but although there had been a vast increase in the duties performed, the cost was, in 1870, £177,000, or a decrease of £2,000. There was, perhaps, no Department of the State in which the work had increased so much with so little corresponding increase of expenditure. In 1856-7 the law charges of the East India Company amounted to upwards of £19,000, because they had no lawyers upon their establishment, while last year the law charges of the India Office were only £2,500. If the hon. Member for Hackney was successful in throwing out this Bill, he would not only prevent the Secretary of State from obtaining that assistance which he believed to be necessary, but would unquestionably, in the long run, throw heavy additional charges on the revenues of India.

SIR GEORGE CAMPBELL said, no doubt it was desirable there should be some legal element in the Council, although he would deprecate the introduction of too many lawyers, and especially of lawyers as distinguished from jurisconsults. It was of enormous importance that the Secretary of State for India, who was more uncontrolled than any other Minister, should have the most eminent men upon his Council, and a trumpery pension of £500 a-year was a mere drop in the ocean by comparison. There were men of great weight and value now on the Council, who would not have taken office on the reduced terms. He had himself been appointed to a place in the Council, and possibly, if the terms had been the same as they were prior to the Act of 1869, he might never have left it. He found, however, that if he chanced to live 10 years he should be thrown out of the Council without a profession and without pension, and he resigned this precarious situation. His experience thus showed that there were cases in which the inducements of a seat in the Council were not such as to lead men of very humble pretensions to care to retain it. On the other hand, he regretted that matters of this importance should be dealt with by patchwork legislation. He thought that the whole constitution of the Home Government of India should be overhauled and re-considered.

MR. HARDCASTLE wished to know whether, under the provisions of this Bill, those merchants who were members of the Indian Council would receive pensions?

LORD GEORGE HAMILTON said, such was not the intention of the Bill.

MR. GRANT DUFF said, he thought the Government had done good service in bringing in the measure, which he considered would be a great advantage to India and a great gain in the way of economy.

MR. T. E. SMITH said, that he should feel it his duty to oppose any Bill which would cause further increase of expenses.

SIR WILLIAM HARCOURT said, that he should support the Bill, which was carefully limited for the advantage of those persons who were specified.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 151; Noes 41: Majority 110.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

MERCHANT SHIPPING [SALARIES, &c.]

Order for Committee read.

Motion made, and Question put, "That Mr. Speaker do now leave the Chair."

The House *divided*:—Ayes 71; Noes 34: Majority 37.

MATTER *considered* in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the Salaries of all Surveyors appointed under the Merchant Shipping Acts, and of the Expenses connected with the Survey and Measurement of Ships, and of the Salaries and Expenses of Persons employed under the Passengers Act, 1855, and of the Salaries and Remuneration of all Officers that may be appointed under any Act of the present Session for amending the Merchant Shipping Acts, and of all Costs and Compensation payable by the Board of Trade in pursuance of such Act.

Resolution to be reported *To-morrow*.

CATTLE DISEASE (IRELAND) BILL.

On Motion of Sir MICHAEL HICKS-BEACH, Bill to amend the Acts relating to Cattle Disease in Ireland, *ordered* to be brought in by Sir

Michael Hicks-Beach and Mr. Solicitor General for Ireland.

Bill *presented*, and read the first time. [Bill 94.]

PROTECTION TO GROWING CROPS (SCOTLAND) BILL.

On Motion of Sir Alexander Gordon, Bil to enable the Tenants of Arable Farms in Scotland to protect their growing crops from injury by Hares and Rabbits, *ordered* to be brought in by Sir Alexander Gordon, Sir Robert Anstruther, Viscount Macduff, and Sir Windham Anstruther.

Bill *presented*, and read the first time. [Bill 95.]

House adjourned at half after One o'clock.

* * *

HOUSE OF LORDS,

Friday, 3rd March, 1876.

MINUTES.]—Public Bills—*First Reading*—Marriages (St. James, Buxton) * (22).
Committee—Appellate Jurisdiction (5-23).

MALAY PENINSULA.
PERSONAL EXPLANATION.

Lord STANLEY of ALDERLEY rose, in accordance with a private Notice which he had given to the noble Earl the Secretary for the Colonies, because, notwithstanding his reply to the noble Earl's speech on Monday last, the Press had given credence to the statements made by the noble Earl which he then contradicted. He desired to set right a matter which the noble Earl was led to misrepresent to their Lordships and to the country as to what he said on the occasion of the discussion which took place on Monday night, and which the noble Earl represented as an attack on Her Majesty's Army. The only allusion he made to persons bearing arms in the suppression of the disturbances in the Peninsula was to the comments of two Straits newspapers on the acts of some Arabs under the orders of a civil official of the Straits Government—a medley of all nations described in the last number of *The London and China Telegraph* as "the sweepings of the Singapore gaol." They were headed by a French Canadian, who was a caretaker in one of the Singapore lighthouses. Their Lordships would admit that reflections on the conduct of this peculiar corps in no way touched or affected the credit of the British Army. Moreover, his appeal to the memory and celebrated protest of Lord Chatham, and the noble Earl's knowledge of history, should have convinced him that he was not speaking of Her Majesty's regiments—otherwise to name Lord Chatham's protest against the employment of Red Indians would have had no sense. If any imputation was made—if any aspersion was cast upon the British Army—it was by the noble Earl himself, who in his speech had brigaded these ruffians, and associated these brigands with the Queen's troops. He would also observe that there was no probability that while attacking the noble Earl's conduct of affairs he should go out of his way to attack Her Majesty's Army, considering the scrupulous care he had always given to the interests of the Army in all military questions that had come before the House. If their Lordships' debates took place with closed doors, it would be a matter of indifference to him that any noble Lord, in order to avoid giving him an answer, should make a "Rule Britannia" speech and raise a false issue of an attack upon the Army to distract attention from the main question, because he could have relied upon their Lordships' judgment, which would have discerned the weakness of a case which required bolstering up by such rhetorical artifices. But it was different when an attack upon Her Majesty's Army was wrongfully attributed to him, and such an imputation was dispersed over the country; and he could not sit down patiently under it. He did not accuse the noble Earl of resorting to the rhetorical artifice of answering what had not been said in order to gain an advantage in debate; but now that the advantage—perhaps only a temporary advantage, had been gained—he did rely on the noble Earl's sense of justice to retract the imputation in such manner as fully to exonerate him in the estimation of the Army.

The Earl of CARNARVON said, he hardly knew what object the noble Lord had in view in reviving, under the form of a "personal explanation," the discussion which he initiated on Monday night. The "personal explanation" of the noble Lord was simply an attack on him for a reply he made to a very vehement speech delivered by the noble Lord. He was sure that if the noble

Lord wished to express some regret for the language he had allowed himself to use in reference to the operations of Her Majesty's troops in the Malay Peninsula, the House would be prepared to listen to it; but if the noble Lord asked him to retract anything he had said in reply to that language, then, however anxious he might be to gratify the noble Lord, he felt unable to make such retractation. What the noble Lord said on Monday would be in the recollection of their Lordships. He spoke of the various military operations which had been carried out in the Malay Peninsula, and spoke of them as having been characterized by burnings, devastations, and considerable excesses. He spoke of the operations in three different parts of the Peninsula; and as the Natives were employed in one only, certainly the inference he drew was that the accusations made by the noble Lord applied to Her Majesty's troops as well as to the Natives. He thought that was not an unnatural inference. The noble Lord's language was so understood even by the noble Earl opposite (the Earl of Kimberley), who felt obliged to rise and express his opinion on the subject. The inference he drew, therefore, was not unreasonable, even though the noble Lord, on consideration, might like to rise and qualify what he had said. He did not object to the noble Lord doing that; but he did not hold that he (the Earl of Carnarvon) was to blame in the matter, inasmuch as he had only placed a reasonable construction on the noble Lord's language. With regard to the detachment of Natives which the noble Lord had likened to the Red Indians employed in America in Chatham's time, no doubt that was a detachment of Native Irregulars; but if a body of that kind was kept in hand, there was no objection to its employment. This particular force was employed at a critical moment, when the services of every available man were desirable; but Sir William Jervois gave a caution to the officer in command to hold them well in hand. After the operations the detachment was praised by the Civil Commissioner in charge of the district; and for himself he could now say that, having looked through all the official Papers, he could find no case of excess or barbarity alleged against it. It was impossible to prove a negative, but all that the official Papers recorded of that detachment was to its praise. But granted that the noble Lord's language of Monday last was applied to the Natives and not to Her Majesty's troops, was there not something unfair and unjust in singling out for this accusation a detachment that was composed of men of a different race? He regretted that, under the shelter of a personal explanation, the noble Lord should repeat charges so utterly without foundation and so utterly unjustifiable.

APPELLATE JURISDICTION BILL.

(*The Lord Chancellor.*)

(NO. 5.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into Committee."

Lord REDESDALE said, that the abolition of the Appellate Jurisdiction of their Lordships' House proposed in the legislation of 1873 had caused general dissatisfaction in Scotland and Ireland. That fact made people in this country reflect, and the result was that by 1875 it had become evident that the opinion of the English Bar and the opinion of the Imperial Parliament had changed. The consequence was the Bill now before their Lordships; and by its introduction he was fully justified in the course he had pursued throughout. There had been a great deal of misrepresentation with regard to the provisions of the Bill, and it was said that the introduction of the Lords of Appeal in Ordinary would so modify the constitution of the tribunal that it would no longer be possible to speak of "the Appellate Jurisdiction of the House of Lords." For himself, he was generally satisfied with the proposals of the Bill. He believed that there was nothing in the Bill which would render the House of Lords a less efficient Tribunal of Ultimate Appeal than it had hitherto been. The Peerage which it would introduce was not, as some persons erroneously supposed, a life Peerage; it was an official Peerage, analogous to that which, in the case of the Bishops, had been known to the Constitution from a very early period, and gave to the law a similar representation in the House to that which the

Church had so long enjoyed. He did not mean to say that it would not be very inconvenient to have a great number of official Peerages; but the number to be created under the Bill was limited to four, with large salaries, which would render further increase impossible. It was urged by way of objection that on ceasing to hold office the Lords of Appeal would lose their privilege of sitting and voting in that House, though they would still retain the title of Baron. But this was not new, because if a Scotch Peer who sat in their Lordships' House during one Parliament was not re-elected as a Representative Peer in the next Parliament, he lost his privilege of sitting and voting, though he remained a Peer in every other respect. He need scarcely remind their Lordships that the Lord Chancellor of Great Britain or the Lord Keeper was President of that House *ex officio* and took his seat on the Woolsack as President although not a Peer. As to the tribunal being no longer the House of Lords, he contended that it would continue to be so under the Bill. For a long time the Lay Lords had not interfered in judicial proceedings; in other words, the House had, with most commendable good sense, accepted the decision of the Law Lords, who alone were competent to advise in such matters. That was just what he trusted the House would continue to do under this Bill. He hoped the measure would be received with general assent.

Motion *agreed to;* House in Committee accordingly.

Clauses 1 to 3, inclusive, *agreed to.*

Clause 4 (Form of Appeal to House of Lords).

THE LORD CHANCELLOR moved the omission of the words "under this Act," which were used with reference to appeals, and said he proposed that the same words should be struck out in subsequent clauses were used in relation to appeals.

Clause amended, and *agreed to.*

Clause 5 (Attendance of certain number of Lords of Appeal required at hearing determination of appeals) *agreed to.*

Clause 6 (Appointment of Lords of Appeal in Ordinary by Her Majesty).

Lord Redesdale

LORD NAPIER AND ETTRICK wished to offer some obversations upon the Bill, particularly in reference to the interests of Scotland. In that country it would give great and general satisfaction that a new and definite tribunal should be established and recognized as the last Court of Appeal identical with and included within the foundation of the House of Lords. The provisions of that Bill would be very acceptable to Scotland. The term of "the House of Lords" commanded a degree of respect which would not be accorded to any other designation. The House, indeed, stood in the place of the ancient Parliament of Scotland, and in their Lordships' House, by usage, if not by actual judicial functions, the whole of the ancient laws of Scotland were perpetuated and reproduced. It might be said, indeed, that this was a matter of sentiment; but sentiment in matters of this nature was not altogether to be disapproved, and there was no country in the world in which traditional jurisdictions were more respected and preserved than among the people of Scotland. Then, the special provisions introduced to strengthen the judicial faculty of the House were equally acceptable in Scotland. The Lords of Appeal were appropriated exclusively to service in this House and in the Privy Council. They did not in any way resemble a Court in Westminster Hall, and therefore did not offend the letter or the spirit of the Treaty of Union. Under the provisions of the Act, a Judge of the Court of Session could be created a life Peer and a Lord of Appeal, and he could sit in the Judicial Committee of the Privy Council, from which he was before excluded. So much was gained, and the Scotch owed a debt of gratitude to the noble Lord the Chairman of Committees. That provision of the Bill, however, which made a practical advocate of 15 years standing qualified to be a Lord of Appeal seemed objectionable. It was to be supposed that the selection would be invariably fall to some Scottish Judge of the highest judicial eminence; but the fact of 15 years standing being deemed sufficient to qualify was of itself calculated to lower the dignity of the office. Moreover, as a Scotch advocate had few means of obtaining legal experience except in Scotch Courts, he thought there would be found few, or none, at the Scotch Bar really qualified for so high a position, If any member of the Scotch Bar should happen to be appointed, the appointment would be immediately attributed to political partizanship. At the same time, he thought the Bill would be highly acceptable to the people of Scotland, and he tendered his thanks to the Lord Chancellor and the Government on their behalf for its introduction. He now came to the second part of his observations, which were perhaps the more important of the two. The present constitution of the Judicial Committee of the Privy Council contained all the elements of an excellent Court of Appeal, and for that they had the authority of his noble and learned Friend (Lord Hatherley). It contained four paid members, whose exclusive services in the Court were secured, since they were to vacate any other judicial appointment on nomination. They were sufficiently remunerated and pensioned to command high ability. They were, or they might be, specially qualified, for the mere fact of having been Chief Justice in one of the three Indian Presidencies entitled a person to hold the appointment. Now, how would the Court be eventually constituted under this Act? It failed in two of the elements referred to. There would be still four paid members in the Judicial Committee of the Privy Council, including the four Lords of Appeal in the House of Lords; but their services were not secured to the Privy Council, they would have their duties in the House of Lords; and the performance of their duties in the Judicial Committee were specially subordinated to the performance of their appeal duties here. They were first Lords of Appeal and secondly Judges in the Privy Council, which had only a claim on the residuum of their ability. Under the new Bill the Committee would not possess the special qualifications desirable. The four paid members of the Court of Appeal would probably be the acting and working members of the Judicial Committee; but the Indian Judges could not become Lords of Appeal; the definition of "high Judicial Officers" did not include them. They were not likely to get there by their qualification of 15 years standing. They were, therefore, practically excluded. This was very objectionable. The tribunal of Indian appeal should certainly be one which would possess the confidence of our Indian fellow-subjects. But it might be said that the Indian Judges could sit and serve in the Judicial Committee without being Lords of Appeal. They might be appointed Members of the Privy Council and then of the Judicial Committee, and their services in that Committee remunerated by a moderate allowance in addition to their pensions. Well, although this might be an encouragement, it was no security. These retired Judges were only volunteers, and their remuneration insignificant. Besides, you only secured retired Judges in this way; you did not secure Judges in the prime of life and strength. But by having paid Members of the Judicial Committee of Privy Council solely appropriated to do that duty, you secured everybody. He could not but think that this was an unfortunate feature of the Bill, and that for the interests of India it would have been better to have preserved the two Courts distinct—one for the United Kingdom, the other for the Colonies, or at least for India. But if this was impossible with a view to uniformity of decision, then it would at least be desirable to make the Indian Chief Justiceships qualifying offices for the position of Lord of Appeal, and appropriate the person so named practically and habitually to the service of the Privy Council. The one great defect of the Judicial Committee was its want of permanence; and he thought they should remedy this in the present legislation by providing for Members in succession to the present Judges.

Clause *agreed to.*

Clauses 7 to 14, inclusive, *agreed to.*

Clause 15.

THE EARL OF POWIS asked the Lord Chancellor whether any provision would be made for placing on the Privy Council Members of Indian experience to deal with appeals from India. As the noble Lord opposite (Lord Napier) had pointed out, Chief Justices in India were not eligible for appointment to the office of Lord of Appeal. True, a barrister who had been a Judge in India might become qualified for nomination to that appointment by promotion to the English Bench. Such promotion was very unlikely. They had known the case of a colonial Bishop appointed to the Episcopal Bench in England; but he did not think there was any case of an Indian Judge being elevated to a seat on the English Judicial

Bench. Ever since the Judicial Committee had been established, two Indian Judges either as assessors or as Members had formed part of it. As the Foreign Secretary had said on the first day of the Session, it was a dependency which was itself an Empire; with increased intercourse Indian suits would multiply, and it was most important that Indian suiters should have some security for the proper decision of their cases.

The LORD CHANCELLOR said, he took the opportunity on a former occasion of submitting to their Lordships the reasons that seemed to him conclusive as to the great advantage of establishing an intimate relation between this House as the Tribunal of Ultimate Appeal in home cases, and the Judicial Committee of the Privy Council as the Court of Ultimate Appeal in Colonial and Indian cases. He wished to speak with the greatest possible respect of those who occupied high positions on the Judicial Bench in India—the Judicial Committee of the Privy Council enjoyed a great advantage at the present time in having among its Members two learned Judges who had been on that Bench; but at the same time, he was bound to admit that if their Lordships were going to lay down a qualification which was to last for all time in the case of those who might be appointed to the office of Lord of Appeal, looking to the variety of persons who had filled the office of Judge in India and to the fact that a large number of the leading members of the English Bar would decline such a post, he did not think the post of a Judge in India would be a good and safe qualification for a Lordship of Appeal. He regarded it as a great advantage that the Judicial Committee of the Privy Council should be assisted by persons having knowledge of Indian law. He did not know that there was any great advantage in having it assisted by those who had only a knowledge of the administration of the law in India, though the Judicial Committee had that kind of assistance also. But it had the very great advantage of the presence of one who in every sense was a most eminent man. One of the most able and attentive Members of the Committee was Sir Lawrence Peel, who had not received a remuneration anything like worthy of his eminent services. By an Act of Parliament brought in by Lord Brougham, it was provided that the Privy Council should be assisted by two retired Indian Judges, who were to receive £400 per annum in addition to their pensions as an indemnity for the expenses to which they might be put in attending; and, subsequently, the Committee appointed by their Lordships to inquire into the question of Appellate Jurisdiction recommended that that sum should be increased to £1,000 per annum. He thought that the precedent should be followed in the present instance. He had made no such proposal in the Bill because at present the Privy Council was well supplied with advisers well skilled in the Indian law in the persons of Sir James Colville and Sir Barnes Peacock; but if the necessity should hereafter arise provision for the appointment of such Assessors could be easily made.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Remaining Clauses *agreed to,* with Amendments.

The Report of the Amendments to be received on *Friday* next; and Bill to be *printed,* as amended, (No. 23.)

House adjourned at a quarter past six o'clock to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 3rd *March,* 1876.

MINUTES.] — SELECT COMMITTEE — Depreciation of Silver, *appointed.*

PUBLIC BILLS — *Select Committee — Report —* Epping Forest * [66].

Committee—Burgesses (Scotland) * [48]—R.P.; Offences against the Person * [1]—R.P.

Committee — Report — (£4,080,000) Exchequer Bonds * [89]; (£4,080,000) Consolidated Fund *.

IRISH CHURCH TEMPORALITIES COMMISSIONERS—CHURCH LANDS.

QUESTION.

MR. FAY asked the Chief Secretary for Ireland, Whether he can inform the House on what basis the Irish Church Temporalities Commissioners have fixed the amount of the purchase money on sales to tenants of Church lands, whether by reference to the Ordnance valuation or to the rental?

SIR MICHAEL HICKS-BEACH, in reply, said, the value of the holdings sold to tenants of Church lands had not been fixed by the Commissioners by a mere reference either to the Ordnance valuation or to the rental, but to the result of valuations carefully made on the spot by competent valuers.

MR. FAY gave Notice that on the 28th inst. he would move for Returns relating to the subject.

SALE OF FOOD AND DRUGS ACT—PUBLIC ANALYSTS.—QUESTION.

MR. WATKIN WILLIAMS asked the President of the Local Government Board, Whether it is not the fact that in a large number of places the local authorities have neglected to appoint analysts under the sale of Food and Drugs Act, and that in other places where analysts have been appointed no practical result has followed owing to the absence of any provision for the payment of a salary to the analyst; and, whether the Government are willing, if necessary, to exercise their powers under the Act to make the appointment of analysts compulsory, and also to recommend the adoption of some uniform mode of remuneration?

MR. SCLATER-BOOTH, in reply, said, that, so far as he was aware, the number of analysts appointed up to this time in counties was 34. They had also been appointed in 42 boroughs. He did not know in how many instances arrangements might have been made to employ them in adjoining districts, as provided by the Act, neither was he aware that no practical results had followed, owing to the absence of any provision for the payment of a salary to the analyst. No doubt, practical results had not followed in all cases, but that was owing to the impossibility of employing the police before the Sale of Food and Drugs Act of last Session; and that was now remedied. If a case of necessity were made out, he would be willing to employ the powers of compulsory appointment vested in the Local Government Board, but he had no information before him which led him to think the time had arrived for the exercise of those powers. As at present advised, he was not in a position to recommend any uniform system of remuneration.

NATIONAL TEACHERS (IRELAND) ACT, 1875—CONTRIBUTORY UNIONS.

QUESTION.

MR. MELDON asked the Chief Secretary for Ireland, If he would state to the House how many unions in Ireland have voted themselves contributory under "The National Teachers Act, 1875," and how many remain non-contributory; how many (if any) unions have not as yet decided whether they will become contributory or not; and, whether the Returns ordered upon the Motion of the honourable Member for the county of Carlow as to contributory and non-contributory unions, will be delivered previous to the 17th day of March, the day fixed for the Motion on the subject of the condition of Irish National Teachers?

SIR MICHAEL HICKS-BEACH, in reply, said, that 70 of the Irish Unions had agreed to become contributory under the National Teachers Act of 1875, 92 remained non-contributory, and in one, he believed, the question had not yet been settled. The Returns mentioned in the Question would be ready for presentation in another week, and would, he hoped, be circulated before the day fixed for the Motion of the hon. Member for Kildare.

IRISH LAND ACT—NOTICES TO QUIT.

QUESTION.

MR. BUTT asked Mr. Chancellor of the Exchequer, Whether the distinctive die for stamps on notices to quit has yet been prepared, and when it will come into use?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, he was happy to give the hon. and learned Member a satisfactory answer. No time was lost after the promise was made in preparing the die, and it came into use on the 17th of October last.

ARMY—KNIGHTSBRIDGE BARRACKS.

QUESTION.

MR. R. YORKE asked the Secretary of State for War, Whether he will produce the plans for the proposed reconstruction of Knightsbridge Barracks for the inspection of Members; and, if so, how long before the Vote for the money is asked for?

Mr. GATHORNE HARDY, in reply, said, he had given directions that the plans should be got as forward as possible, and he would undertake—if the Vote for the works was passed—that no action should be taken on that Vote without the consent of the House after it had seen the plans.

CRUELTY TO ANIMALS.—QUESTION.

Mr. MELDON asked the Chief Secretary for Ireland, Whether his attention has been called to a statement in the "Morning and Evening Mail" of Friday the 25th February, that Mr. Barton, one of the divisional magistrates in Dublin, upon dismissing a charge brought by an individual for cruelty to an animal, said "he was of opinion that the police were in themselves quite sufficient to grapple with cases of cruelty in the streets without any humanity-mongering by a voluntary society;" and, if such statement is true, whether any steps will be taken to prevent the use in future of such language, calculated to counteract the efforts of the Society for the Prevention of Cruelty to Animals, by a magistrate?

Sir MICHAEL HICKS-BEACH, in reply, said, his attention had been called to the subject only by the Notice of the hon. and learned Member's Question, and he had not, therefore, had time to inquire into the accuracy of the statement referred to. Mr. Barton was an able and efficient magistrate, and if he had made any remark such as that attributed to him, it would probably have been with reference to some want of judgment on the part of the agents of the Society for the Prevention of Cruelty to Animals, rather than with reference to the Society itself. It did not appear to him necessary to take any action in the matter.

ARMY—THE INCREASED PAY OF THE SOLDIERS.—QUESTION.

Mr. SHAW-LEFEVRE asked, Whether, before the renewal of the discussion upon the Army Estimates, any Papers would be laid before them to show the maximum amount of charge which might arise from this increase of pay?

Mr. GATHORNE HARDY, in reply, said, he believed that there were actuarial calculations in existence, but he could not undertake to put off the Army Estimates until they could be got ready.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

BURIAL SERVICES IN PARISH CHURCHYARDS.—RESOLUTION.

Mr. OSBORNE MORGAN, in rising to move the following Resolution:—

> "That the parish churchyards of England and Wales having been by the common law of England appropriated to the use of the entire body of the parishioners, it is just and right, while making proper provision for the maintenance of order and decency, to permit interments in such churchyards either without any burial services or with burial services other than those of the Church of England, and performed by persons other than the Ministers of that Church,"

said: Mr. Speaker, before moving a Resolution on the Burial Laws, I feel that I owe to the House some explanation of the reasons which have induced me to deviate from the course which I have hitherto pursued in this matter. That explanation is, fortunately, both short and simple. I came down to the House on the first day of the Session prepared to do what I have done for the last four or five years—to bring in a Bill to amend the Burial Laws. But fortune, which had hitherto smiled upon me, was not so propitious this year; and, owing perhaps to the irrepressible thirst for legislation which has seized on private Members, particularly from the other side of the Channel, I found myself ignominiously crowded out. Indeed, if I had persevered in my determination to bring my Bill to a second reading, I should have had to choose between the Derby Day and the second place on the second Wednesday in July. Under these circumstances I made a virtue of necessity, withdrew my Bill, and determined to proceed by Resolution. And I am not sure that I have any reason to complain of the accident which drove me to take that course. There are ample precedents for proceeding by Resolution in such cases. I believe it was a Resolution which first paved the way for the passing of the Roman Catholic Emancipation Act, and we know that in later times Resolutions have been fraught with equally momentous consequences. But, without speculating as to the ultimate effect of passing such a Resolution as this, I may at least be permitted to indulge a hope that the calmer and wider discussion which an abstract Resolution invites may clear away some of the prejudices which still overlie this question, and place it on a truer and sounder footing. That at least will be my object in the observations which I shall have to address to the House, and I think I may say that if I fail I shall fail from want of ability and not from lack of honest endeavour.

Before addressing myself to the Resolution, however, I should like, with the kind indulgence of the House, to make one preliminary observation. We approach this question to-day with an amount of light which has never been thrown upon it before. It will, no doubt, be in the recollection of the House that hitherto when I have introduced this question, I have been taunted with having brought forward an infinitesimally small grievance. I think the right hon. Gentleman the Home Secretary last year called it the "minimum of a grievance." And not only was it said to be a very small grievance, but it was one which was getting "small by degrees and beautifully less," for we were told that every week old churchyards were being closed—every week new cemeteries were being opened, and so in a few years "this infinitesimally small grievance" would vanish from the face of the land altogether. Now I thought that was an allegation which required to be tested. Certainly, it was altogether contrary to my personal experience, which would lead me to say that the churchyards of England are by no means full, and that even where they are full people do not at once rush off and form themselves into a Burial Board and invoke the cumbrous and expensive machinery of the Burials Acts. Some liberal landlord, not always a member of the Church of England, gives a neighbouring piece of land, or perhaps the land is purchased by subscription, and in this way the churchyard is enlarged to meet the wants of the parish. But as the allegation was often made, I determined to test it. In June last I moved for a Return giving the name and population of every parish in England and Wales, together with the number of churches and chapels, of churchyards and burial grounds, consecrated or unconsecrated, open or closed, as well as of the number of existing statutory cemeteries. Unfortunately the Return I asked for was so complete that I am afraid it never will be completed. For when, just before the opening of the Session, I consulted my hon. Friend the Under Secretary of State for the Home Department (Sir Henry Selwin-Ibbetson), whose courtesy and kindness I cannot sufficiently acknowledge, I found that although he had done everything that he could do to expedite those Returns, as well as to obtain them from the most trustworthy sources, a large number had not come in, and those which had come in were so voluminous that it would take six months to print them. All idea, therefore, of obtaining them during the present Session had to be abandoned, and I have therefore been compelled to content myself with a numerical in lieu of a nominal Return, which, although not so satisfactory, gives much valuable information. That Return was delivered to hon. Members two days ago, and certainly it seems to me that it strengthens my case to an extent which I for one had never expected.

I should premise that Returns have been received from 7,369 parishes of England and Wales, but 2,332 parishes, in other words one quarter of the parishes in England and Wales, have supplied no information whatever. Of course, some of us will have their own suspicions as to the reasons why no information was sent in these cases. For my part I see no reason to impute *mala fides* to the authorities. But this I may say, that had the Returns been all before us they certainly would not have been more unfavourable to my case than they are at present. For wherever Burial Boards have been established and cemeteries constructed there is generally some responsible authority whose business it is to answer inquiries, so that in such cases the information you want is generally forthcoming; whereas those portions of the country which have sent no Returns are mainly the rural parishes where no such machinery exists, and it is but fair to assume that these Returns, if supplied, would go to strengthen my case. A fuller Return, published to-day by the Home

Office, which I suppose comes from the Burials Office, differs very little from the Returns published two days before. According to the one Return the number of consecrated burial grounds wholly closed is 794, whereas according to the other and fuller and later one the number is 843. I may add that, when I come to Wales, I find the number of parishes from which Returns have been received is 541, and the number from which Returns have not been received is 204, showing that two-fifths of the authorities there decline or omit to give any information.

But taking the information I have got, for the accuracy and completeness of which I am in no way responsible, it shows that the churchyards now open in England and Wales amount to 9,989—in round numbers 10,000, while the number closed amounts only to 794, so that the churchyards open are in proportion to the churchyards closed in the ratio of nearly 13 to 1. Again, I may add a significant fact which appears by the Return issued this morning, that only 60 churchyards have been wholly closed in the last 10 years, being an average of only six a-year.

When, however, I come to cemeteries returned as containing unconsecrated ground the results are still more marked. There are at present, as far as appears by my Return, in England and Wales only 539 cemeteries containing unconsecrated ground. Now there was a Return moved for by the hon. Member for West Surrey (Mr. Cubitt), which gave the number of cemeteries constructed three years ago at 531, so that if you compare the two Returns it would appear that in the course of three years only eight new cemeteries have been constructed. I may add that these figures tally with the fuller Return we received this morning, which shows that only eight burial-grounds were wholly closed within the last two years; but if you take the Returns which I hold in my hand by themselves, it would appear that the cemeteries available for Dissenters are only 539 as against churchyards still open nearly 10,000. Of course, you may say that cemeteries have been established in the towns where Dissent is assumed to be strongest. Now, I am not at all sure that this assumption is true. The contrary would appear from one or two figures which are set down in these Returns. I observe, for instance, that in the county of Lincoln, a purely agricultural county, there are no less than 634 Dissenting chapels. But whether that be true of England or not, it is not true of Wales, because there, so far as the Church is strong at all, it is strong in the urban and not in the rural districts.

Now, just see what is the state of things which confronts you in Wales. Taking Wales and Monmouthshire (which is Welsh in everything except name) together, we have in this Return churchyards open, 788; churchyards closed, 25; cemeteries, 21—21 cemeteries for a scattered population of a million and a-half. The churchyards open are to the churchyards closed in the proportion of 31 to 1, and the churchyards open are to the cemeteries in the proportion of 39 to 1. Now, do not these Returns show that this grievance, so far from being infinitesimal, so far from extending only to a few hundreds or thousands of persons, extends to persons who may be counted by millions? Why, in North Wales alone there are between 300,000 and 400,000 persons who feel its pressure. Well, after this disclosure do not let us hear anything more about this being the minimum of a grievance.

The Return also shows that the number of unconsecrated burial-grounds attached to chapels in England and Wales is 2,833 to 14,000 chapels, or only 20 per cent, whereas the churchyards are to the churches in the proportion of 88 per cent. But I demur entirely to classing these burial grounds, which are private property, and can be dealt with as such, in the same category with parish churchyards in which every parishioner has a vested right of interment, and which cannot be touched except under an Act of Parliament; unless, indeed, you are prepared to go farther, and to admit that the Church of England holds her property by the same title as the Dissenting denominations; but of course you cannot do this without reducing her to the level of a sect.

Now I have called attention to these figures because so much stress was laid on their absence by my opponents. For my own part, however, I am disposed to think that if a thing is just and right the number of persons who demand it is comparatively unimportant. But I was challenged by the right hon. Gentleman the Prime Minister to produce the information. I have produced it; and all I can say is I hope he is satisfied with the result.

I now come to the Resolution itself. It has been a long time before the House and the country, and of course it has been, I do not say unfairly, but severely criticized. It was said by a leading journal, to which I am greatly indebted for the support which it has given me, that its preamble is "unnecessarily menacing." Sir, I hope I have lived long enough to know that menace of every kind, particularly unnecessary menace, is as injudicious in point of policy as it is reprehensible in point of taste. And, as in the remarks I am about to make, I would not willingly say one word which would wound the susceptibilities of the most susceptible man in this House, I am quite ready, if the preamble offends such susceptibilities, not to press it. But this I wish to be understood that, whether menacing or not, that preamble is most certainly true. And that it is true—strictly true as a proposition of law—I will, if the House will indulge me for a few minutes, undertake to prove.

But before entering on this question, I must ask the House carefully to distinguish between two rights—the confusion of which has done much to obscure this subject. I mean the right of interment in the parish churchyard, which is one thing, and the right to the use of the service of the Church of England, which is another. The one is a civil or Common Law right, triable in a civil Court, the other is an ecclesiastical right, triable in the ecclesiastical Courts. The latter is the right of those who are actual or constructive members of the Church of England. I say constructive because, as the House knows, by a decision given about 60 years ago, it was held that any person who had been baptized, no matter by whom, was constructively a member of the Church of England, and as such entitled to the funeral services of the Church. But the larger right, that of interment in the parish churchyard, is the right of everyone who has once obtained the rights of a parishioner in the parish, irrespectively of his religious status. Let that be clearly understood, because unless we separate these two rights we shall get into confusion. I may add that the distinction upon which I insist has recently been admitted by an eminent ecclesiastical lawyer, who, although certainly not disposed to sympathize with me, in an able article on the subject in *The Guardian*, says—

> "It has been argued that the right of burials is the right of 'Christian burial,' and that therefore those persons who are disqualified from Christian burial have no right to burial in the churchyard. But the more correct opinion seems to be that these rights are separable, and that the right of interment may exist where there is no right to require the performance of the Church service. This proposition is laid down, though perhaps not judicially decided, in cases in the Court of Queen's Bench, and in the Court of Arches, and was on their authority admitted by Bishop Phillpotts in his charge of 1842, in a passage which well deserves perusal."

Now the larger proposition, that every parishioner is entitled to burial in the parish churchyard, is not only laid down without qualification in almost every text-book on the subject, beginning with Bishop Gibson and ending with Sir Robert Phillimore, but it has been judicially affirmed in a case of R. *v.* Taylor, the report of which, from Serjeant Hill's MSS. is to be found in Lincoln's Inn Library. It is as follows:—

> "Motion by Serjeant Glide &c. for information against one Taylor, Vicar of parish of Daventry, in Northamptonshire, for refusing to bury and hindering the burial of one Mary ———. It appears on affidavit that the deceased being a parishioner, died in May, 1720, and that the relatives of the deceased applied soon after to the sexton to dig a place for burial of the corpse; but the parson Taylor ordered him not, and he has ever since obstructed the burial of the corpse in the churchyard, he giving for reason that she being a Protestant Dissenter (of the persuasion of the Baptists) was never baptized, being baptized only by a layman or minister of her own persuasion, so no Christian, and therefore ought not to be buried in churchyard, which was consecrated ground. By which the corpse laid above ground to that time.
>
> "Per Fortescue, J. 'Every parishioner has a right to burial place in churchyard, otherwise they cannot be buried anywhere, if they have not land of their own,' for other persons are not obliged to permit their burial in their property.
>
> "Per cur.; 'shew cause' *quare informat non.*
>
> "The last day of the term the Defendant came to shew cause, but because it would take a long time *per cur.*, adjourned till next term, and the Court in the meantime advised the parson to bury the corpse in the churchyard; if he did not the Court should be informed of it next term, then would grant information, 'for every parishioner has a right of sepulture.'
>
> "The Defendant's Counsel moved to discharge the former rule when the Court was certified by affidavit that the Defendant, knowing the mind of the Court, had complied with it, and told the relatives of the deceased they might bury the corpse in what part of the churchyard they pleased; upon which the Court discharged the

former rule, but said if he had still continued obstinate they would have granted information. As to refusing to read the burial service on account of her not being baptized according to the rites of the Church of England, the Court said, 'that was a spiritual matter not belonging to them.' "—[Serjeant Hill's MSS., 7 D. 278.]

Now, that case is valuable for two reasons. First, it shows the distinction for which I have contended, and, secondly, it establishes the Common Law right, and places it on the true ground—namely, that of necessity. And not only has that case been frequently approved of, but it has been acted upon for a century and a-half; for since that time no clergyman, as far as I know, has ever ventured to refuse burial in the churchyard to unbaptized persons, though he has, of course, often refused—and by law is perfectly justified in refusing—to read the service over such persons.

Well then, having, I trust, established the truth of my preamble, let me go a step further. It is said that this right is subject to conditions. Of course the observation does not apply to unbaptized persons, in whose case the reading of the Church service, so far from being enforced, is not even permitted. But let us see in what sense it applies in other cases.

Now, as was laid down in the case of R. *v.* Taylor, the Common Law Courts had nothing to do with religious rites and ceremonies. This was a matter which they left to the ecclesiastical Courts, or the Bishop's Courts, as they were called, which, before the Reformation, derived their inspiration more or less from the Pope. And the ecclesiastical Courts, having to deal with this question, dealt with it in what, considering the age, may be called a very liberal spirit. With the Common Law right of interment they did not, and could not, interfere. But they laid down the rule that every man who had been admitted into the Church by Baptism and had not been cut off by excommunication, was to be presumed to be a member of the Holy Catholic Church, and, as such, was entitled to be buried with the service of that Church, that being the only form of Christian burial then known in this country. But then that rule was founded upon the assumption—which was then true in fact as well as in theory—that every parishioner was a member of the Holy Catholic Church, and that, so far from any objection being entertained to the services of the Church, the most terrible weapon which the Church kept in her armoury—a weapon which made even kings tremble on their thrones, was this threat of being interred without those services, involving, as it was then supposed to do, the certainty of everlasting perdition. But now just see what a change has come over the religious condition of the country. That which was then a fact is now become a fiction. The Church no longer embraces, as it did formerly, the whole, or nearly the whole, of the parish. The services of the Church, instead of being always sought after, are often objected to; and the strange result is, that the very thing which was once cherished as a privilege is now sought to be imposed as an obligation; and we find ourselves called upon to discuss a right which was never dreamed of when the law under discussion was made: the right, not to refuse the services of the Church to those who want them, but to impose those services on those who do not want them—the right to force on unwilling ears a service which ceases to be even solemn the moment it ceases to be welcome—the right to lay violent hands on the funeral procession, and to force back the corpse into the bosom of that Church which the living man had abjured, and was by the law of the land perfectly free to abjure.

Now, I put it to hon. Gentlemen on that side of the House as well as on this —does it not seem an insult to call this a Party question? [*Derisive cheers*]. If that observation has wounded the susceptibilities of the hon. Member for Bury St. Edmund's (Mr. Greene), I will withdraw it at once. I will therefore change the form of the question. Is a right so barren—I had almost said so odious—worth preserving at the cost of all the bad blood and bad feeling which the struggle to preserve it is engendering in every parish in England? Nay, is it not the very right we gave up 40 years ago, when we allowed Dissenters to marry with their own services? I know the answer that will be given to that question. It will be said—"Yes, but we never admitted Dissenting ministers to our churches, whereas now you ask us to admit them to the churchyards. Churchyards and churches are the same thing, and if we admit you to one we must admit you to the other." Of all the objections which have been urged against my Resolution, that is the most common, it is the most specious, and it is the most unfounded. And if hon. Gentlemen will bear with me for a few moments I will endeavour to show that it is so.

Why, in the first place, there is this obvious distinction between the two cases—the primary object of the church is the performance of religious worship, the object of the churchyard is the interment of the dead; and whereas convenience and decency, if not absolute necessity, require that the dead should be interred in the same locality, nobody, not even the wildest Liberationist, has ever suggested that all religious ceremonies should be performed under the same roof. In fact, take away the name and the juxta-position, and in the Protestant countries at least the church and churchyard have not an idea in common, except possibly that both were included in the same ceremony of consecration. But perhaps the less said about that now the better, for it is now pretty generally agreed that the ceremony of consecration, as opposed to the civil act of dedication, is unauthorized, if not illegal, because the ordnance on which it is founded is a Bill which passed both Houses of Convocation in 1712; but when that Bill came before Queen Anne, who, like others of our female Sovereigns, was jealous of her ecclesiastical prerogatives, she, for some reason or other, refused the royal sanction to it. Consequently that Bill is in the position of a Bill passed by both Houses of Parliament which has not received the Royal Assent—in other words, it is mere waste paper. And that I take it is why the consecration service is not found in the Prayer Book, and that is doubtless too why Bishop Thirlwall, who was as good an ecclesiastical lawyer as he was a theologian, used to say he could consecrate a churchyard quite as well in his own study as on the spot. Again, as to the juxta-position, that is a matter of comparatively recent origin, for, according to a great authority on ecclesiastical law, when Christianity was first introduced into England, and for many centuries afterwards, the graveyards, so far from encompassing the church, were like the modern cemeteries at a distance from it, and the present practice of surrounding the church by the churchyard only grew up when—

> "Monks and priests, beginning to offer prayers for the souls of the departed, procured leave, for their greater ease and profit, that liberty of sepulture might be in churches or places adjoining them, in order that the friends and relatives of persons deceased, as often as they came to these sacred places, seeing their graves, might remember them and pray God for them."

And eight centuries after Christianity was first introduced into this country, an Act of Parliament was passed which treats churchyards as a modern innovation, for it recites that—

> "Now of late by subtle imagination, and by art and engine, some religious persons, parsons, vicars, and other spiritual persons have interred in divers lands and tenements which be adjoining their churches, and of the same have made churchyards, and by bulls of the Bishops of Rome have dedicated and hallowed the same, and in them do make parochial burying without license of the king and of the chief lords, therefore it is declared that this is manifestly within the compass of the Statute of Mortmain."

But these facts may be interesting from an antiquarian point of view; let us get to something more practical. I will point out a practical distinction, for the present purpose, between the church and the churchyard, which nobody has ever yet attempted to get over. In this country at least no man is compelled by any law, natural or human, to enter his parish church. But unfortunately there are several thousand parishes in England containing several millions of inhabitants in which every man is, sooner or later, compelled by a law higher than any human law to enter his parish churchyard. Of course, when I say "every man" I am not speaking of territorial magnates who can build their own mausoleums. I am speaking of the poor and the children of the poor, who are compelled to be buried in the place where they die, and, if the churchyard is the only place available for that purpose, are compelled to be buried there. Therefore, to say that the use of the churchyard involves the use of the church is to ignore the very first law of poor human nature, that we must all die and be buried. In fact, as an Irishman said to me the other day—"Burial is the one act in a man's whole life which is not optional." And it is just this physical necessity which the Common Law recognized when it set apart the churchyard for the burial place of all parishioners, without distinction. Now, if this be so, let me ask this question: Do we or do we not by our present law indirectly—

but not on that account less effectually compel Dissenters to be buried with rites and ceremonies of which they disapprove; just as formerly we indirectly, but not on that account less effectually, compelled them to be married with rites and ceremonies of which they disapproved? And if there can be but one answer to that question, let me ask another. Is that compulsion, indirect though it be, consistent—I do not say with religious equality, but with the barest measure of religious toleration?

Look around and see how other countries have dealt with this question. I stated some time ago that in almost every other civilized country the law which I am endeavouring to introduce into this country already prevails. I had no sooner made the observation than I was contradicted, and I do not care to repeat it on my own responsibility. I will shelter myself under the authority of a name which we all respect—I mean that of the Archbishop of Canterbury. The Archbishop of Canterbury stated on an occasion when my hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope) and the hon. Member for West Kent (Mr. J. G. Talbot) were present, and subsequently in Convocation, that he had taken the greatest pains to ascertain what was the law of foreign countries on this subject, and he had discovered that in Austria and Russia—two countries not very remarkable for religious toleration—Protestant ministers were allowed to bury their own flock, with their own services, in the parochial cemeteries. We know that in Irish churchyards, first under Lord Plunket's Act, which gave a sort of permissive right, and latterly under Lord Emly's Act, which made that right absolute, both Presbyterian ministers and Catholic priests are allowed to perform their own burial service over their dead. We know that in Scotland — not by virtue of any Act of Parliament — but, thanks to the more liberal and Christian spirit in which Scotchmen have looked at this question, not only Episcopalian clergymen—who are Dissenting ministers in Scotland—but Roman Catholic priests are allowed to bury in the parish graveyards. Why should England be so far behind—I will not say Ireland and Scotland, but—Austria and Russia? Heaven knows we are fond enough of boasting of our enlightened views on these subjects! We go about thanking God that Englishmen are not as other nations are! We are proud — and, perhaps, justly proud—of the religious toleration and freedom of speech which we profess and enjoy. Why should we concede that toleration and that freedom at every other juncture of life except that one juncture when it is most earnestly asked for, and most sorely needed? Why should we extend it to every other subject of the Realm, but deny it to the mourner, the widow, and the orphan?

Sir, I cannot help thinking that the consciences of hon. Gentlemen opposite are not quite easy on this subject, because I see they have introduced no less than six Bills to remedy this "infinitesimally small grievance." There were the two Bills of Lord Beauchamp, the two Bills brought in by the hon. Member for West Kent (Mr. J. G. Talbot), a Bill of the hon. Member for Salford (Mr. Cawley), and a Bill of the right hon. Member for the University of Cambridge (Mr. Spencer Walpole; and now we have this Amendment. This Amendment is actually the seventh red herring you have drawn across my path. Well, I think I may dispose of it without much difficulty. I entirely approve of it as an abstract proposition. But what has it got to do with my Resolution? If, by his Amendment, the hon. Member (Mr. J. G. Talbot) means that every facility should be given for so useful a purpose as the acquisition of land for burial grounds, and that this should be done by as cheap and simple a process as possible, no sane man will disagree with him. To prove that I am in earnest, I may say that three years ago, before the hon. Gentleman thought of the subject, I carried through Parliament an Act, now the 36 & 37 *Vict.*, cap. 50, actually giving the facilities the hon. Gentleman now proposes to give, to persons willing to bestow or sell land for — amongst other purposes — burial grounds. I would therefore suggest to my hon. Friend that, instead of amending my Resolution, he should amend my Act, and he would have my most zealous co-operation. Of course I do not like to boast of my legislative performances, particularly when they are so meagre as mine have been; but I think I may say that that Act has been found very useful. Indeed, the only drawback to my satisfaction at having passed it has been that I have been so often called upon to explain its provisions. But although a number of sites for churches and chapels have been obtained under it, I do not believe that it has been put into operation to acquire a single burial ground. The reason is obvious. People do not care to multiply such places unnecessarily. Unless they are absolutely required, the landowner does not want to give the land; the parishioners do not want to pay for it. But if the hon. Member means this—and I cannot help suspecting he does—if he means by his Amendment that in every parish, whether the churchyard is empty or full, whether cemeteries are wanted or not, there land shall be acquired for the purpose of making a burial ground, all I can say is that such a proposal, coming from a Member of a Party which has always prided itself on its resistance to any increase of the rates, is something monstrous. Have you calculated the cost of this? I find that up to the year 1862, no less than £1,400,000 had been expended in the construction of cemeteries, and of course the sum has been greatly increased since. Why, if you were to cover the country with these cemeteries you would have to spend many hundreds of thousands of pounds, because it would not do, in my country at least, to have, as has been suggested, but one cemetery attached to four or five parishes; for in that case people might sometimes have to drag a funeral 10 or 15 miles, and over a mountain 1,500 feet high. Now I want to know from what source is the money for this purpose to come? Is it to come out of the rates? I think I see the President of the Local Government Board in his place, and, if so, I should be exceedingly glad to know what his views on this subject are. I do not see my hon. Friend the Member for South Norfolk (Mr. Clare Reed), who, to his honour be it said, resigned the post to which he had been called with the general assent of the House and the country, because Government would not keep pace with his views on the reduction of local taxation. ["No, no!"] I am sure if I have made a mistake I have done so innocently. It really does not affect the argument. I want to know what the hon. Member for South Norfolk, who is admitted to have been most zealous in his endeavour to cut down local expenditure, would say to such a proposal. My hon. Friend opposite the Member for South Leicestershire (Mr. Pell), has also honourably distinguished himself by his attempts to cut down local expenditure. I should like to know what are his views on this subject. Then there is my hon. Friend the Member for North Shropshire (Mr. Stanley Leighton), another farmer's friend. I should like to know what he has to say on this subject. Still more would I like to know what his constituents would have to say to it. But to show you how completely at sea people get when they come to carry these proposals into anything like practice, let me state to the House the results of an appeal which the Bishop of Salisbury made to his rural deaneries for advice on this question—

> "About 600 clergy and representative communicant laity have given answers to the questions proposed. To the first question—whether the present law of burial should be uncompromisingly maintained—the answer is uniformly in the affirmative, two deaneries adding 'as regards services.' To the second question—whether, if any change were to be made, the proposals of Mr. Osborne Morgan's Bill should be accepted—the answer is absolutely in the negative; not more than three voted in the affirmative."

[*Laughter.*] Well, my hon. Friend opposite need not laugh, for he did not fare much better—

> "To the third question—whether silent burials should be adopted according to Mr. Talbot's plan — three deaneries only answered in the affimative, the division in them being 12 to 8, 9 to 7, and 12 to 3. To the fourth question—whether cemeteries should be formed for one or more parishes according to the recommendation of the Lower House of Convocation — two deaneries answered decisively in the negative; the rest answered in the affirmative, but with great variety of opinion as to the funds from which the cemeteries should be provided, several objecting to the charge falling on the rates, three proposing it should be borne by the Dissenters, one that half should be defrayed by subscriptions and half by a Government grant, and the rest not specifying the fund from which it should come."

That shows how utterly at sea you get the moment you come to the practical working of these proposals. What a Babel of discord does not Convocation become when it attempts to deal with this question. The Lower House sends a message to the Upper House, and the Upper House sends it back to know what it means, and then they do what is perhaps the wisest thing, and postpone the consideration of the whole question until a more convenient season. And it is a significant fact, that although six Bills have been brought forward by hon. Gentlemen opposite to remedy this "infinitesimally small grievance," not one of those Bills has ever been brought on for second reading. Not one of those Bills has ever been submitted to the full and ample consideration which every Bill receives on coming up for second reading in this House. And almost every proposal which has been made from the other side has had to be modified or dropped. Take the proposal for silent interments. I entirely acquit the hon. Member for West Kent of any intention to do so, but surely he has not the slightest idea how deeply he wounded and pained the Nonconformists of England by his proposal for silent burial. It is true that my Resolution proposes to legalize silent burial. ["Hear, hear!" *from the Ministerial side.*] Yes. But it is one thing to offer a thing by way of option, and another to make it the only alternative. I may say that I altered my original Resolution by introducing silent burial as an alternative, in accordance with the wishes of my Scotch Friends who say that it is the custom in Scotland to bury without any service. In England silent burial is not a usual mode of burial. Silent burial is the burial of the suicide, and consequently it imposes a stigma which makes people recoil from it. And then you propose to bestow on Dissenters, as a boon, that mode of interment which English law imposes on suicides as a stigma, and you expect Nonconformists to welcome the offer with gratitude. However that is abandoned now, and I am glad of it. But if you admit that something ought to be done, and yet are not prepared to tell us what ought to be done, have I not a right to ask you to tell me a little more specifically what are your objections to my Resolution? For surely in itself it is natural that a man should desire to be buried in a manner most consistent with his feelings. Surely it is natural that he should desire a funeral service to be performed over him by the man who has been his spiritual adviser through life, and who is to be the spiritual guide and consoler of his bereaved family. Surely that is a sentiment so natural and so human that to look for its origin in what is somewhat vaguely called an outbreak of political Dissent is as ridiculous as it is unfeeling. Then what are your objections? In that remarkable speech of the Prime Minister, delivered three years ago, he said that if Dissenters wanted to have the churchyards they ought to pay for them. Well, I entirely agree with that, and in my original Bill I inserted a clause throwing the costs of keeping up the churchyards on the parishioners generally. But you objected to that provision, and you threw it out, and now you turn round and blame me for not giving you what you would not have when I offered it. And do not forget this, that although churchyards are now kept in order by Churchmen, yet many of them were originally constructed by rates borne by Dissenters as well as Churchmen. Then it is said that the Resolution is one-sided, because it frees the Dissenting minister and binds the parson. Now I must say that objection falls rather hard upon me, because it assumes that I am responsible for the Burial Service and the Rubric. Why, you might as well say that I am answerable for the Thirty-nine Articles and the Athanasian Creed. And do you not see how inconsistent you are? When the question is as to compelling the Dissenter to have the service read over him, you cannot, for the life of you, see that there is any objection to it. But when the question is as to compelling the clergyman to read it, then you discover that there are many cases in which it is wholly inapplicable. Well, I quite agree with you, and no one would rejoice more than I should to see the clergyman relieved from the necessity of reading the Burial Service in every case. But recollect that there is such a thing as "blowing hot and cold" at the same time. Then there is the danger of abuse. That is a horse which has been ridden very hard in the Recess. One hon. Member said that if the Bill passed, he should be afraid you would have Jumpers and Shakers in the churchyard, another was afraid of dancing girls. Another hon. Member the gallant Member for Bedford (Captain Polhill-Turner), sees in imagination a vista of 30 or 40 Mormon widows following their husbands to the grave. And the last idea seems to be that the Malay, relieved I suppose from the pressure of his domestic difficulties at Perak, will come over here and take advantage of the change of the law to pollute our churchyards with his horrid and unclean rites. Does anyone really believe this nonsense? Does anyone believe it? I ask the question pointedly, because there was a time, when I was as yet innocent and unversed in the ways of the world, when I did partially believe it, and in former years I went out of my way to overload my Bills with "safeguards," until I found out that nobody cared to have them. Not only did I include in my Bill all the limitations which the Select Committee to which the Bill was referred in 1870 had suggested, but I went much farther. Let me give one instance. In 1872 the hon. Member for West Kent (Mr. J. G. Talbot) had put down on my Bill an Amendment requiring the service to be according to a prescribed ritual, or to consist of hymns, prayers, and portions of Scripture. I accepted that Amendment and put it in the Bill of 1873; but no sooner had I done so than the hon. Member began to quarrel with his own Amendment. And that Bill of 1873, containing all those "safeguards," was the Bill which the right hon. Gentleman the Prime Minister, came down to the House with all the weight of his great authority and eloquence to denounce. Well, I am wiser now. Of course my Resolution leaves the matter entirely open. For I take it that it is not the office of a Resolution to prescribe what service is to be performed or by whom. That is a matter necessarily left open for the present. But if you seriously require any reasonable safeguards, depend upon it you will find us as disposed as before to meet you half-way. If, however, you ask me what safeguards I should myself—speaking, mind, in my own name only—prefer, I will answer you frankly. None whatever. I think that is a matter in which you might safely trust to the good sense and good feeling of your fellow-countrymen. Have you found any safeguards necessary in the case of cemeteries? For the whole object of my Resolution is to turn the parish churchyards into what they originally were, parish cemeteries. I have a great deal of evidence on that subject. I will give you a short extract from a letter put into my hands this morning from a member of the Burial Board of Liverpool. In that cemetery 60,000 people have been buried since it was first established, and the writer states—

> "I have been a member of the Burial Board of this parish from its origin, and from the day of the opening of our cemetery at Anfield to the present the burial services in the Nonconformist division of the ground have been conducted with at least as much decorum, if not more, than in the Church of England ground. The Church of England ground is bounded on one side by the Roman Catholic ground, and on the other side by the general or Nonconformist ground, being separated only by open walks or roads; and although the services at the grave sides are often being conducted at the same time in each of the three divisions, all are conducted with order and decorum, and no occasion for complaint arises from one or the other of any irregularity."

That is what all my correspondents tell me: the service in the unconsecrated ground is just as devotional, just as solemn, just as religious in every sense of the word as the service in the consecrated ground. Some go further, and say it is more so. If so, what are you afraid of? Why should you be more afraid of riots in churchyards than of riots in cemeteries? My hon. Friends the Irish Members will forgive me for saying that the popular idea of an Irish funeral is that it is not always conducted on the strictest principles of decorum. But have any scandals occurred at funerals in Irish churchyards? [An hon. MEMBER: Yes.] Well, but are there no churchyard scandals in England? Look at Scotland. Has there ever been any riot in Scotland, where religious feeling runs at least as high as in England? I believe that within the last year two Bishops, the Episcopalian Bishop of Brechin and the Roman Catholic Bishop of Derry, were laid to their last rest in the venerable churchyard of St. Cuthbert's, in Edinburgh. Was there any riot or disorder then? Then, I ask, what right have we to libel our fellow-countrymen by insinuating that they alone among civilized men will be guilty of these outrages upon the feelings of the living and the memory of the dead?

But this is only the fringe of the question. The real objection, we are told, lies deeper down—Disestablishment under disguise! [*Loud Ministerial cheers.*] Well, I admire your unanimity, but I cannot say so much for your logic. As I understand the argument, it is put somewhat in this way—"You support this Motion; you are in favour of Disestablishment; therefore this is a Motion in favour of Disestablishment." That is the syllogism! How am I to meet it?

Indeed, the difficulty I have always felt in arguing this question is that the grounds upon which I am called upon to argue it are continually shifting. No sooner do I raise one issue than you meet it by raising another. First it was "the parson's freehold;" then it was "the smallness of the grievance;" then it was the "danger of abuse;" and now it is "disestablishment under disguise." I begin to feel like Lysander in the *Midsummer Night's Dream*—

> "He goes before me, and yet dares me on;
> When I come where he calls, then he is gone.
> Demetrius is much lighter heeled than I;
> I follow fast, but he doth faster fly."

Sir, it is my belief that if, when that very moderate Bill of 1873 was brought forward, the Prime Minister, instead of coming down to oppose it *à outrance*, had exercised the almost unlimited control which he wields over his Party to "educate" them into something like reason on this subject, that Bill, possibly with some further modifications, might have been passed, this "great and burning question" might have been settled for ever, and by this time we might almost have forgotten its existence. But in an evil hour for the Church of England, in an evil hour for everybody, certainly in a very evil hour for me, some zealous but misguided "children of the Church" determined, in defiance of reason and logic, to confound the Church with the churchyard, to link the living with the dead, and to fight the battle of the Establishment upon this ground. Do not suppose that the Liberation Society will quarrel with you for that. They know what an admirable weapon you have placed in their hands. They know that if they had been allowed to take their choice from the whole area of ecclesiastical questions they could not have selected a battle-ground more admirably adapted to their purpose than this. It has been said within the last day or two by an eminent Churchman, that this is to be the Thermopylæ round which you will fight to the last gasp for the entrance to the Church. Take care that your Thermopylæ does not turn out to be the Caudine Forks. The wisest men amongst you—the Archbishop of Canterbury, my revered Friend the Dean of Westminster, the Deans of Christchurch and Canterbury, the Deans of Durham, of Chester, and Manchester, the headmasters of our great public schools, the leaders of thought at our old Universities, absolutely decline to follow you in your headlong and suicidal career. And surely, if opinions are to be weighed instead of reckoned, the memorial presented to the Prime Minister yesterday, signed by some three or four hundred most distinguished metropolitan and rural clergymen, ought to have some weight with the Government and the House. Unfortunately, however, all the leaders of ecclesiastical thought among us are not equally farseeing. Let me read to the House the views of one of the most learned and active Bishops of the English Church—a man of whose great scholastic and theological erudition I wish to speak with the greatest respect —I mean Dr. Christopher Wordsworth, Bishop of Lincoln. And I hope that every word which I am going to read will go forth to the House and to the country, not only because it is a very fair type of the arguments which are daily rained in upon me, but because I am continually told that the proper settlement of this question would be to do as was formerly done in Ireland—to leave each case as it arises to the discretion of the incumbent, with the right of appeal to the Bishop. "A Bishop," I am told, "is always reasonable and always just. Surely you can always trust a Bishop." Now let us see what chance an unfortunate Nonconformist would have of having his appeal listened to in the large and important diocese of Lincoln. The Bishop of Lincoln, writing to one of the principal London newspapers a short time ago, says—

> "The Bishops and clergy and parish priests of England are not the owners of the churchyards. They are only trustees of them under God, who is their proprietor, and they cannot, without breach of trust and without being guilty of a heinous offence in His sight, take away from God a single foot of a churchyard for the purpose of giving a share in it for public funeral services to persons who rend asunder His Church by schism, which is condemned by Him in His holy Word as a deadly sin. Such an act on the part of Bishops and clergy would be a robbery of God. It would be an act of sacrilege, treachery, and cowardice. It would not avert disestablishment: it would only hasten it!"

Hasten Disestablishment! Do not you think that such a letter as this—coming as it does from one of the most prominent Prelates of our National Church

—will do more to "hasten Disestablishment" than all the Burial Bills that ever were invented? Why, Sir, these Church Defence Institutions have done more to pull down the Church of England in two years than the Liberation Society did in 20. And why? Because they have alienated and are alienating from the Church of England that large body of Englishmen who do not know much and do not care much about theological dogmas, but who, nevertheless, entertain a deeply rooted conviction that the first duty of a Christian Church is to be just and tolerant to her fellow-Christians. And that is why I cannot help thinking that if she had been wise in her generation, the Church of England, instead of hankering after impossible unions with semi-barbarous Churches, would have looked nearer home, and herself have set to work to devise some scheme for relieving her own ministers from a position which is always false and often painful. For, believe me when I say that, galling and irritating and exasperating as the prolongation of this wretched struggle is to the Nonconformists, the real sufferer by the prolongation of that struggle is the Church of England herself. We—my hon. Friends and myself—can afford to look forward to the result of to-night's division without the slightest misgiving. We know that, by the aid of what I will venture to call a "mechanical" majority, you can defeat this Resolution. But we also know that the day will surely come when common sense and common justice, aye, and I may add, common humanity will prevail, as they always do in the end prevail in England, and when some measure, based upon the lines of this Resolution, will become the law of the land. Of that we are as sure as we are of our own existence. But is it quite so sure that the Church of England—strong though she be, deeply rooted in the affections of the people though she be—can much longer afford to be defended by such utterances as these?—

> "Non tali auxilio nec defensoribus istis
> Tempus eget."

But be that as it may; that is not the question upon which you will have to pronounce a verdict to-night. The question upon which you will have to pronounce a verdict to-night is not, I repeat, the Disestablishment of the Church of England. It is a question infinitely smaller, both in its proportions and its consequences—a question, indeed, which in this age of universal toleration, I am almost ashamed to submit to the House of Commons: whether you will any longer tolerate this musty remnant of old ecclesiastical law, which, although it was perfectly just, perfectly suited to the age which gave it birth, has become so ill-suited to the changed religious condition of the country that it cannot be upheld without a fiction, or enforced without an injustice. The hon. and learned Member concluded by moving the Resolution.

MR. WYKEHAM MARTIN, in seconding the Resolution, said, he did so as a Churchman strongly opposed to Disestablishment, and who, although he had voted for the Disestablishment of the Church of Ireland, did so very reluctantly, because he looked upon it as a political necessity. He should not have come forward to second the Resolution if he thought it would lead to Disestablishment. On the contrary, he believed that leaving this question open and unsettled had done more mischief to the Church than 10 campaigns of the Liberation Society. Sir Morton Peto, in speaking on this question, quoted from a speech of the Marquess of Salisbury, when that nobleman had a seat in the House of Commons as Lord Robert Cecil, to the effect that some Bills of this kind would sooner or later be passed, unless the clergy could be persuaded in the question of burials to wink with both eyes. He (Mr. Martin) believed that in 99 cases out of 100 the clergy adopted that course, exercised toleration, and endeavoured to give as little offence as they possibly could in this painful matter of burial, and he once knew a prudent Archdeacon who managed to be out of the way, so that the wife of a Roman Catholic parishioner might be buried without any service; but unfortunately there was a noisy minority of intolerant and very unwise men who acted in a contrary spirit, and gave rise by their conduct to the strong feeling which existed among Nonconformists on this subject. He would give an instance of this intolerance, which he found in *The Church Times*, a Church newspaper, though one he did not at all admire, and which, as it had not been contradicted, he assumed to be accurate. A clergyman was reported to have said—"With the exception of a few people here and there, Dissenters are chiefly remarkable for ignorance, insolence, and stupidity," and then he went on to ask—Were the clergy of the Church of England to be called on to "bury the carrion of Dissent?" ["Oh, oh!" *and* "Name!"] The language he had quoted was attributed to the rector of one of the largest parishes in London—the Rev. Thomas Hugo. What Nonconformist, being human, would not feel justly indignant at such language? A clergyman of his acquaintance had said—"If the report of that speech be *boná fide,* the clergyman who uttered it ought to be suspended," and he fully agreed with him. Better far to allow any number of Dissenters to read prayers in our churchyards than to expose the Church to the injuries that would result from such language. Lord Selborne, when Sir Roundell Palmer, had said that something must be done in the matter, and the six Bills from the other side were a confession on their part that some remedy was necessary. It had been said by Gentlemen opposite that this was made a Party question by the Liberals. He did not wish to make it so; but undoubtedly it was the Liberal Party which alone would be benefited by having this sore kept festering for years, instead of having the question settled on equitable terms. The best course, therefore, that hon. Gentlemen opposite could take would be to settle the question. Years ago a man of great ability and vast experience in that House said to him—"You fellows are very stupid. You want abolition of church rates, admission of the Jews to Parliament, and other Liberal measures. Get those and the Ballot, and you will immediately have the Conservatives in power." His Friend was perfectly right. They had only to look opposite for the proof of the accuracy of his prediction. He believed if the Conservative Party remedied this grievance, they would go down to battle at the next Election with a much greater prospect of thrashing the Liberals again, than if they left such a weapon in the hands of their opponents. For his part he did not want to possess such a weapon, but desired rather that justice should be done in the matter to the Nonconformists of England. He therefore trusted that the Government would hold out some hope of settling this painful question, and that, at any rate, they would abstain from doing one thing in the interest of the clergy of the Church—namely, that they would not give compulsory cemeteries in the several parishes, because in many parishes they were not needed; and that an undue amount of labour would be thrown upon the parishioners in raising a voluntary rate for the support of such cemeteries. The present Government had managed the country with very great efficiency, in many respects, during the last two years, and he hoped that it would find some way of redressing the grievance to which attention had been called, and so settle what was a miserable source of dispute. In conclusion, he begged to second the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the parish churchyards of England and Wales having been by the common law of England appropriated to the use of the entire body of the parishioners, it is just and right, while making proper provision for the maintenance of order and decency, to permit interments in such churchyards either without any burial services or with burial services other than those of the Church of England, and performed by persons other than the Ministers of that Church,"—(*Mr. Osborne Morgan,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ASSHETON CROSS: Sir, the hon. and learned Member who has introduced this Motion to the notice of the House has stated that he would not, in any way, if he could possibly avoid doing so, offend the susceptibility of any hon. Member on whichever side of the House he might sit, and I am bound to give him credit for having through the whole of his speech, as far as it was possible for him to do so, kept faith with the declaration he at first made. But after I had heard that fall from the lips of the hon. and learned Member, I could not help remarking that his speech as it went on had wounded, and wounded severely, the susceptibilities of many persons who sat on this side of the House, and of some others, not by anything that he said, but by a great deal that he left unsaid, because he did not seem from the very beginning of his speech to the end ever to show that he duly appreciated either what were the objections of Churchmen to this measure, or how deeply they felt on this question. The hon. and learned Member apologized to the House for having put this matter in the form of a Resolution instead of a Bill. He quoted precedents to show that many things had been done in consequence of Resolutions that had been passed by this House. True; but if those precedents were examined, it would be found generally, if not always, that a Resolution was the commencement of debates upon the subject with which it was connected. It is almost unheard-of, after a subject has been debated year after year in the House of Commons, not by way of a Resolution, but by way of an actual Bill, that the Bill should be thrown over and a Resolution resorted to. Supposing for a moment, which I cannot believe, that this Resolution will pass, what object would be gained, and how much nearer legislation would you be? Although the hon. and learned Member could not find an early day on which to have the second reading of his Bill, he would have gained just as much by the discussion of the question on the second reading of his Bill, even at the end of July, as by the discussion of this Motion now. For even if this Resolution were to pass, no Bill formed upon such a Resolution would have a chance of passing during the present Session of Parliament. I think, therefore, that we might have been spared a discussion for the present, and that the hon. and learned Member might have taken a discussion in the ordinary course, when his Bill would have been brought forward for a second reading, however late in the Session that might have been. There are some great disadvantages in discussing the subject of a Resolution, especially when we have seen it in the shape of a Bill. On the other hand, there may be certain advantages in discussing a Resolution as against a Bill. It is very difficult, I know, to put details into a Resolution, although that is a course which is sometimes very convenient; but I wish to call the attention of the House for a short time to the Resolution which the hon. and learned Member has chosen as his own battle-field, and to the terms in which he has placed that Resolution before the House. He has prepared it with the greatest care and deliberation. It was put on the Table of the House some weeks ago. It did not satisfy the hon. and learned Member in its original form. It was deliberated upon and altered, and as it now stands it is in an entirely new form. [Mr. OSBORNE MORGAN said, he altered it in deference to the wishes of some of his hon. Friends.] The hon. and learned Member confirms my statement that the Resolution in its original form was deemed to be unsatisfactory, and that for that reason he strove to alter it, and now that he has brought forward his amended Resolution he again offers to alter it; says that the preamble may be considered too menacing, and that he is willing to throw overboard his preamble altogether. That shows the difficulty of proceeding by a Resolution. The preamble of this Resolution is—

> "That the parish churchyards of England and Wales, having been by the common law of England appropriated to the use of the entire body of the parishioners, it is just and right." . .

So the hon. and learned Member starts with this proposition, not as a proposition of expediency, not as a proposition of what ought to be, but as a proposition of absolute right. Well, I will not enter at the present moment into a long discussion upon the law of his case. What I want to put to the House is, that we must see how far this proposition goes; and I venture to say that, in spite of all that has fallen from the hon and learned Member, the absolute right to burials in a churchyard is precisely the same as the absolute right of any parishioner to have worship within the body of the church, and that if this Resolution passed, and another Resolution were presented to us, word for word the same as this, with the exception of the word "Church" being substituted for the word "churchyard," it would be absolutely impossible, if we are consistent with our votes, to resist the one and to pass the other. I know it may be said that every person must be buried, but nobody need go to church. That is another matter. We are not discussing the expediency of burying a man in a churchyard or not. We are discussing a question of right. Every parishioner has a right to service in church; but by the same law that gives him that right he is bound to have it according to the services which are there performed. The hon. and learned Member would make out just as strong a case for a Nonconformist to have service performed by a Nonconformist minister in a parish church, if he could show that in some towns no land was to be had on which to build a chapel; no money forthcoming to build the chapel; that there were many hours on Sundays during which the church was not used, and many days in the week during which it was closed; that for some reason or other it was the only church to which persons could go to for the purpose of worship, and that therefore the Nonconformists had a right to hold their services there at such times. But another point arises from the first words of this Resolution, and it is quite necessary to see to what extent it may be pushed in that direction also. The hon. and learned Member says—

> "That the parish churchyards of England and Wales, having been by the common law of England appropriated to the use of the entire body of the parishioners, it is just and right." . . . .

I want to know to what churchyards the hon. and learned Member means the Resolution to apply. Does he mean to confine it to the ancient parish churchyards simply, which are scattered up and down throughout England, or does he mean to apply it to the churchyards in the district parishes which may be open at the present time? If he means the former, I think I shall be able to show that the Resolution would have very little effect, owing to the sanitary state in which many of such ancient churchyards now are. But if he means the latter, we all know that the number of parish churchyards—that is, of ecclesiastical district churches—in England has been multiplied enormously, independently of the ancient parish churchyards; I am thankful to say, especially of late years, not by rates, except in some cases, not by the State; but by gifts—by voluntary subscription for the good of the community at large. And yet the hon. and learned Member would say to the subscribers—"Although you have made large sacrifices in providing these churchyards for your own church, and for the benefit of those with whom you worship, according to your own services, I with a rough hand will take away all these churchyards." There is to be no limit of time, according to the hon. and learned Member, in this matter; they are all absolutely to go. The Resolution goes much further than that; it means to say that for all time to come no member of the Church of England, however zealous he may be in the cause of his religion, shall be able to say he will give for the good of those with whom he worships a churchyard for the exclusive use of the services of the Church of England; and it would practically come to this, that members of the Church of England would be the only religious body who could not appropriate churchyards for the exclusive use of the services of their Church. You may talk about toleration, you may talk about liberty, but this would be the greatest tyranny that could be inflicted. Let us look once more at the first sentence of the Resolution—"The parish churchyards of England and Wales are by the common law appropriated to the use of the entire body of parishioners." Yes, that may be, so long as they exist. So long as they exist parishioners may have the right of burial in the churchyards as they have to services in the churches; but when they cease to exist, what then? What becomes of your Common Law right when there is no Common Law obligation of the parish to provide a place of burial when they are full? A case happened in the course of last year which bears out the proposition I am laying before the House. In the borough of Northampton, by a very proper order of one of my Predecessors, all the churchyards were closed. They were closed about the middle of last July, and there is no power either by Common Law or by statute to compel any one of the parishes within that town to provide burial-places for any persons who may die within its limits. The only place where they can be buried at the present moment is in a private cemetery and in unconsecrated ground. If you want a grievance I grant you that this is one. There is not a single churchyard in Northampton in which persons can be buried in consecrated ground. There is no power to compel any of the parishes to provide burial-grounds, either consecrated or unconsecrated; and if the cemetery to which I have referred was filled to-morrow, there would practically cease to be a burial-ground for the town of Northampton. When in discussing this question stress is laid upon the Common Law right of people to be buried, those using the argument ought also to lay a considerable amount of stress upon the absence of either any Common Law or any statutable liability to provide grounds for the purpose. But, let me ask how long this great grievance has been felt; how long this terrible state of tyranny and oppression under which the Nonconformists are supposed to lie has been felt by them to exist? What did we hear of this grievance some 15 or 20 years ago? Why, simply nothing. It was a question never named, and I would ask whether Nonconformists of that day were less earnest, less zealous, or less enthusiastic in their cause than are the Nonconformists of the present day? Were they likely at that time, alive as they were to everything which concerned their interests, to overlook such an important matter as this if they then felt the grievance to exist? I venture to say confidently that not only did they not at that time say they had a grievance, but they did not even feel that they had one. If that was the case then, how much less cause for feeling a grievance have they now? Within the last 20 years the whole cemetery system has been called into existence. The hon. and learned Member has quoted from some Returns which have been laid before the House; and, if it be true, as has been said, that figures may be made anything of in argument, I am bound to say that a more extraordinary argument than that which has been adduced by the hon. and learned Member from these Returns I have never heard, even in this House. In 1866 a Return was laid on the Table of the House showing exactly the sums of money which had been borrowed for the making of these cemeteries, and the number of the cemeteries that had been established under the Burials Act. The number of cemeteries so established up to the year 1866 was 413, and the hon. and learned Member has stated that not more than five or six cemeteries have since been added yearly to the number. These Returns have not been carried down to the present time, but I hope they will be completed at an early date. If, however, the hon. and learned Member had consulted a book issued by the Local Government Board, he would have found that between 1866 and 1875, 235 cemeteries were opened, and that in the course of the year 1875-6 another 36 were added to the number, making 684 in all. Looking a little further into the question, it is necessary we should inquire as to the population to which these figures relating to the number of cemeteries refer. I have looked into the Returns relating to the population in the neighbourhood of these cemeteries, and for which the cemeteries are available. From these Returns I find that the cemeteries are available for no less than 14,000,000 out of a population of 22,000,000, and I may say that in arriving at this result I have taken figures which I believe to be under rather than over the mark. I am perfectly aware that the cemeteries are principally in the neighbourhood of large towns, but I am dealing with the general question of the existence or non-existence of a grievance; and I want to know how it came to pass that before the cemeteries were established we heard nothing of this grievance from the Nonconformists out of the 14,000,000 persons for whom the cemeteries are now available. But in addition to this, there are the available burial-grounds of the Nonconformists themselves. When the Bill was before the House in 1873 the Prime Minister quoted from Returns made by rural deans, and which showed that of 6,200 parishes to which the Returns related, 1,627 had Nonconformist burial-grounds. I do not profess that these Returns were absolutely accurate; but I may mention that the figures are, at all events, borne out by the Return just presented to the House, from which it appears that, out of 6,800 parishes from which Returns have been received, there are burial-places belonging to Nonconformists 2,230 in number; from which we learn that at the present time there is a Dissenting burial-ground in one of every three parishes. This shows, at any rate, that the grievance of which they now complain is a mere drop in the ocean compared with what it must have been, if indeed it had an existence, 20 years ago. There is another matter which must not be lost sight of in discussing this question. It is somewhat strange that in parishes which have both cemeteries and churchyards, and where the Nonconformists claim to be not less than half the population, the burials in consecrated ground are infinitely larger in number than those in ground which is unconsecrated, or in the burial-grounds exclusively belonging to the Nonconformists. The fact is that many Nonconformists—and I know this to be true of those living in the country districts—not only do not object, but actually prefer, that the Church service should be read at the burial of their dead. As a matter of fact, I may say, without fear of contradiction, that a great deal is said for the Nonconformists in reference to their alleged grievance in this House, but very little is said by themselves outside the walls of Parliament. A good deal has been said in the course of the debates on this question about the action of this House and of the Nonconformists, as a body, on the question of church rates. It has been said elsewhere as well as here, that at the present time the Nonconformists have much less reason to complain than they had heretofore, because it was they who entirely refused to maintain and keep up the churchyards. I do not wish to rely upon any such argument. I do not want to use an *argumentum ad hominem ;* but I think I may use as an argument, without fear of contradiction, the fact that when we were engaged in discussing the question of church rates this burials grievance was never once named in all these hot discussions, and was, in fact, then never dreamt of. A great deal has been said about what has happened in other countries, and it has been urged that other countries have acted in a more generous spirit with reference to this question than England has. That may be so; but every country has its own history, and must be judged of by itself. As years have gone on these graveyards have clustered round our churches. New churches have been built; fresh districts formed; new graveyards added. Churchmen have been encouraged by the action of Parliament itself to proceed with the work of building churches and adding to them churchyards and parsonage-houses. When the money was contributed it was supposed by the donors that the funds were contributed absolutely for one and the same purpose. It is not possible, therefore, to deal with England as if it was a new or a foreign country, because old associations are gathered round these churches and churchyards, and are deeply seated in the minds of the people. I should like to say a few words on the position of Scotland in reference to this matter, as the case of Scotland has been quoted as a precedent in support of the proposal of the hon. and learned Gentleman. I think, on the other hand, that the case of Scotland is a precedent in the opposite direction. In the first place, there is in Scotland a Common Law obligation, which does not exist in England, to provide burial-grounds; and, in the second place, it frequently happens that the burial-ground is situated altogether apart from the church. In the third place, it is vested, not in the incumbent, but in heritors, and it has always been free from ecclesiastical dominion. The consequence of this is, that burial in Scotland is regarded as being a civil ceremony to a much greater extent than is the case in this country. And the burial service is almost always performed at the house, and not at the graveyard itself. The main difference, then, is, that in Scotland there is a statutory obligation to provide burial-grounds, which does not exist in this country. I grant that it is a precedent for making a statutory obligation on the parish to provide graveyards out of public funds, but not a precedent for saying that these churchyards in England which have been provided by private funds should be those graveyards. Then, again, the case of Ireland has been quoted, but I will show that that case does not apply. It is asked—Why do you not do in England as is done in Ireland? For Ireland you passed an Act in 1824 which enabled the clergyman to give permission to persons of all religious bodies to be buried with their own services. Well, that is true. The Act, however, was repealed, and permission was no longer required; and I certainly should not go to Ireland for a precedent in Church matters. Even if it were not for what I am about to show, the whole case of Ireland depended upon a wholly different state of things from that which exists here. The precedent is directly the contrary way. What happened in Ireland? There were in Ireland a great number of monasteries which were suppressed, but for which the people of Ireland entertained a deep religious feeling, and they were in the habit—contrary to law, I grant—of burying there, having no right to do so. They were in the habit also, thanks to the generous feelings of the Protestant clergy, of burying their dead in the Protestant churchyards from time immemorial. Well, when it was found that these were actually illegal acts, Mr. Plunket brought in a Bill, which afterwards became law, the object of which was—not to create an innovation in the law of Ireland, not to do something which had never been done before, not to grant new privileges; but, on the contrary—to legalize that which had always been done in practice: to remove penalties from those who continued their former practices. The Irish Act was brought forward to legalize that which had always been done; the Resolution of the hon. and learned Member, on the contrary, is brought forward to subvert that which has always been done. So far, therefore, from Ireland being a precedent in favour of the hon. and learned Member, it is a direct precedent against him. Well, I have said that conscientious scruples are always to be respected. But as, in other cases, conscientious feelings of Nonconformists have been respected, so, in this case, are the conscientious—equally conscientious—feelings of Churchmen to be considered. The Nonconformists say that the refusal to allow them to use their own services in a parish churchyard is a matter of bigotry and narrow-mindedness. But I want to know whether any Nonconformist Body has come forward, and has set any example of Christian charity of which they say so much, and said to the people of the Church of England—"We do not care whether you come to our places of burial or not. If you wish to bury there, we are willing that you should do so, although they are private grounds; but as a matter of convenience, and charity, and justice, and fairness—as a matter to show that we are really heart and soul in act what we are in word—we are quite willing that you should bury there, using your own service." I am not putting this, mind, as a matter of right—I am only speaking now of private grounds, in which I know that no public right can exist; but I am trying to test what would be, and what are the feelings of Nonconformists as to the performance of other services than their own in their own graveyards. But that is a question which, so far as I know, has only been considered in England by one body of the Nonconformists. I may be wrong, but theirs is the only case I am acquainted with. The right hon. Gentleman the Member for Birmingham, when this matter was last before the House, made certainly a very interesting and eloquent speech. He is a member of a body of Christians for whom I have the greatest respect, for the conscientious way in which they always maintain their principles. That Body may be looked upon, if any can be, as a body of simple persons who wish to be charitable in every direction. Well, they have discussed this question, not once, but twice, as a religious body—the Quakers I am speaking of. They are the Body of which Sir Morton Peto spoke so much when he brought forward his Bill in this House. Well, they discussed the question, and came to a resolution upon it in 1832, and they again discussed it, and, I presume, again passed the resolution in 1861. The resolution says—"Burials of persons not members of our society may take place in our burial grounds." Yes; but it does not stop there. That is not the whole resolution to which they came. It goes on—"Provided they be in all respects conducted as the burials of Friends are conducted." Why, Sir, that is the very point we are discussing. I claim, on behalf of the Church of England, precisely the same rights of feeling and liberty of conscience as the Quakers claim for themselves. I am not now speaking of ancient churchyards alone, but of those churchyards which have of late been given by gifts as Englishmen, and I hope that such will be given again and again for many years to come. But you go too far with your Resolution. You say it is just and right to provide those burials with services "other than those of the Church of England," and to be performed "by other persons than the ministers of that Church." To whom does that apply? How far would it go? You are not touching here Nonconformists only; you are breaking down the whole discipline of the Church. By a side-wind, as by a stroke of the pen, you are breaking down utterly the parochial system, for you are saying directly, in the teeth of the canon law and of the Act of Uniformity itself, not simply that the services in the churchyard may be said by Nonconformists, but by a member of the Church of England other than the minister who has a right to read it, and, if he likes, even by a layman. That is an extravagant proposition to put forward. But you also go too far in another direction. England has become of late years the great emporium of the whole world. In its great cities we have a vast number of the people of all nations and of all religions. Here you are opening a very wide door indeed. I quite agree that you must provide cemeteries and burial-grounds for them; but it does not follow that they are to be buried in the parish churchyards, each with his own foreign, and it may be unchristian, service. But you go further still. I grieve to say—I wish I could contradict it—that there are a great number of people throughout the length and breadth of the land who are of no religion, who scoff at religion, and who glory in their belief that this world is all, and that there is no world to come. They do not form a small or insignificant body, and they take care to make their sentiments known. I am not speaking of extravagant orations made at the grave. I am speaking of solemn services, if I may use the word solemn of any service held by them. I hold in my hand a book from which I will not read, but three-fourths of it consists of hymns, and at the end are special forms expressly written and published for services to be held at the naming of infants, at marriages, and at burials, and containing such doctrines as I am quite certain the hon. and learned Member himself would be the last to wish to be read, however solemnly, in any churchyard, and which I am quite sure the Nonconformists would not allow to be read in any churchyard of theirs. But let us look once more to the form of the Resolution to which we are asked to assent, what further says the Resolution before the House? The hon. and learned Gentleman has altered it, and it now runs, "permit interments in such churchyards;" then he has added, "either without any burial services, or with other services than those of the Church of England." Sir, I hope no Member of the House will be deceived by that Resolution. A Resolution in those terms would pledge the House to nothing. If you pass it, you will be precisely where you are. The same question would remain to be determined—namely, whether the burials you are going to permit are to be without any burial service, or with a service other than that of the Church of England. Why, when the hon. and learned Member himself opposed such an alternative, he described it as being buried like a dog. [Mr. OSBORNE MORGAN: Not to-day.] That makes no difference. The hon. and learned Member did say so on a former occasion. [Mr. OSBORNE MORGAN assented.] I think it was paying a very poor compliment to the Scotch Members of the House who have been in the habit of burying their dead without services at the graveside—as the Scotch have done from time immemorial—to describe the mode of burial which has been used by some of the most religious people among the whole community—I mean the Scotch Presbyterians—as being buried like a dog. On the 21st of April, 1875, in moving the second reading of his Bill, the hon. and learned Gentleman said—

> "I may, perhaps, in passing, be allowed to express my amazement that any three Members of this House should exhibit—I will not say so little knowledge of the feelings of Dissenters—but so little knowledge of human nature as to suppose this canine mode of interment can be accepted as a solution of the difficulty."—[3 *Hansard*, ccxxiii. 1365.]

Therefore, when we come to vote on this Resolution let hon. Members think what they are asked to vote for. They are asked to permit funerals, either without any burial service at all or accompanied by burial services which are either those of the Church of England or other than the services of that Church; and I ask how hon. Members can vote for a Resolution of that kind which practically leaves the whole question in dispute in absolute uncertainty? I am sorry to have detained the House so long, but I must say one word more. Supposing this Resolution passed, you will not have accomplished the remedy for the disease. The real evil of the law of England is that there is no Common Law liability to provide a burial-ground. You may pass this Resolution and inflict upon a number of people a grievance that they will always feel, and then 20 years hence you will find that you have done less than nothing. Let hon. Members consider the vast increase in the population of this country during the last 20 years, and the increase which is likely to occur during the next 20 years, and, when the time comes that you will have to provide cemeteries for your teeming population, you will regret that you did not do this before you stirred up the feeling which would be undoubtedly excited if this Resolution were carried into effect. The hon. and learned Member has referred to some Papers which have been laid on the Table this morning, and which refer to the churchyards which have been closed during the last 20 years. These Returns were only issued this morning, and therefore the hon. and learned Gentleman may be excused if he has not had time to study all of them. The headings of the Returns refer first to churchyards that have been closed, and, secondly, to those which have been partially closed. The meaning of the term partially closed is, as a rule, that in certain deserted churchyards there are vaults belonging to particular families in which people may be buried for many years to come, and according to the terms of the Act the families of the persons are not put to the trouble of obtaining the consent of the Secretary of State. Yet, in the vast majority of cases, these burial-grounds are practically closed; and, therefore, instead of the number actually closed being 660 in the country and 123 in the district around London, we may fairly say that there are, in round numbers, 1,705 practically closed in the country and 208 practically closed around London. There is thus a total of almost 2,000 churchyards which have been closed since the Act of 1852-3. Since that time you will find a rapid increase of cemeteries, and also a rapid decrease of old churchyards, throughout the country. I will ask hon. Members on this side of the House and the other, who come from the country, whether they have looked at their own churchyards? Have they ever talked to the sexton of their churchyards? Have they ever noticed the sexton preparing to bury the dead, and burying them actually among the bones of the dead? Have not hon. Members noticed churchyards which have not the slightest right to be where they are—in the midst of populous villages, and fouling the water of wells in every direction? Within the last 20 years we have made great advances in all sanitary matters, and the more this matter is looked into the more necessary it will become to deal with it. Since I have held the office I have the honour to fill I have always regretted that the Inspector of Burial Grounds was attached to the Home Office, and not to the Local Government Board. I have only one Inspector; whereas the Board has Inspectors all over the country. These Inspectors know all that is going on, and I should like to see that office transferred without delay to the Local Government Board. There is much to be done without delay in this matter. There is much that must be done, and we are doing this. What ought to be considered is, how far we can clear away all these miserable ecclesiastical disputes, and how we can—not for the past or the present, but for the future—take care that the subject is dealt with in a broad, charitable, statesman-like spirit, which will not only provide for the interment of the dead, but for the comfort, health, and happiness of the living.

MR. KNATCHBULL-HUGESSEN; Sir, the right hon. Gentleman who has just sat down (Mr. Cross) commenced his speech by finding fault with my hon. and learned friend the Member for Denbigh (Mr. Osborne Morgan) for having introduced this subject by means of a Resolution and by a criticism upon the form and terms of that Resolution. I hope, however, that we shall not be mystified or misled by that criticism. My hon. and learned Friend had, as the Home Secretary says, the choice of proceeding as he has elected to proceed, or of waiting probably until the end of July before the second reading of a Burials Bill could have been discussed. I venture to think that he has made a wise election in the course which he has taken, and that in spite of the able criticism of the Home Secretary, every hon. Member of the House will know that he is called upon to vote upon a plain and simple issue which we all of us understand. The right hon. Gentleman and my hon. and learned Friend have both referred to the statistics lately published upon this subject. Well, Sir, these statistics have encountered the usual fate of all statistics. They have been quoted by each side, and each side has proved its own case to its own entire satisfaction. Inasmuch, however, as this battle is not to be determined by statistics, I shall make no further reference to any argument to be deduced therefrom. There was, however, one remark of the right hon.

Gentleman to which I listened with the greatest surprise. He asked whether the Resolution of my hon. and learned Friend was intended to apply only to the old parish churchyards, or to graveyards attached to churches which had been built and endowed by English Churchmen and by them dedicated to the church. If the former, the case was of limited application; if the latter, how hard would it be upon those who had given land and built churches especially for Church purposes, that the Nonconformist should be allowed to share in the burial grounds. But surely, Sir, the answer is plain and obvious. Those who give land and churches to the National Church must be content that they should be held under the same conditions as those under which all other property is held by the same Church. You cannot in one breath claim all the advantages of being a National Church, and in the next demand the privileges of an exclusive sect. And so when the Home Secretary triumphantly asks whether Nonconformists would be willing to admit the clergy to bury within their burying grounds, what does his question imply? I do not know that the Nonconformists would refuse, for the question has never been, and is not likely to be, asked them. But when the Home Secretary asks it, and demands reciprocity on the part of the Nonconformists, what is he doing but that indeed to which his whole speech pointed—depreciating the Church of England as a National Church and putting her upon the level of a mere sect or denomination. I speak, Sir, as a friend to the National Church of England, and I cannot concur in this depreciation. The legal part of this subject has been already fully dealt with, and there is the less reason why I should discuss it since the Home Secretary has told us that he declined to go into the law of the question. It is not surprising that he should so decline, for only last year he admitted that for which my hon. and learned Friend contends—namely, the right of every parishioner to be buried within the churchyard of his parish. Now, Sir, as I have abstained from voting upon this subject for several years past, I am anxious to justify both that abstention and also the vote which I intend to give to-night. In former years I voted for several Bills having for their object an alteration of the Burial Laws, believing the issue involved to be but small, and the concession which was demanded one which might be made on behalf of the Church of England without any apprehension of evil result. But I abstained from voting when the question had assumed larger proportions, partly from an intense dislike to see religious battles fought upon the floor of this House, and partly from that which was perhaps a more valid reason. I thought I saw, on the part of those who opposed an alteration in the law, the indication of a desire to see the question settled upon some firm and reasonable grounds of compromise, if such could be found. I heard the grievance of the Nonconformists fairly and openly admitted—even last year by the Home Secretary himself in this House—I knew that the feelings of the clergy throughout the country were deeply stirred upon the subject, and I anxiously hoped that some settlement might be arrived at which, without doing violence to those feelings, might afford a remedy for the grievance, and at the same time remove from the arena of Parliamentary conflict a question which is to my mind one of the most painful which we ever have before us for discussion. But, Sir, these too sanguine expectations were destined to be disappointed. I am bound to say that during the last two years—that is, since the General Election—the attitude of the opponents of alteration has greatly altered, and altered, I am sorry to say, much for the worse. It is now constantly denied that the Nonconformists have any real or appreciable grievance; the resolutions which are passed at meetings of the clergy, or at conferences of clergy and laity, breathe only a spirit of "No surrender" and "No compromise." I hold in my hand a pamphlet which bears the ominous title *Shall we surrender?* to which question the person who has sent it has affixed in large letters the answer "No," and has also written upon the publication his or her opinion that it is "unanswerable." Sir, this pamphlet is written by no extreme High Churchman, but by a clergyman of a different school—very well known and very estimable, and his views may be taken, I suppose, as those of a large number of Moderate Churchmen. It is written by Canon Ryle. He informs us that he is "what is called an Evangelical Churchmen." He does not "regard English Dissenters as Schismatics and

Samaritans!" He is "not ashamed to co-operate with Dissenters" in works of charity, and he has "No doubt that converted Nonconformists will be saved as surely as converted Churchmen." And then, in the very same pages in which he gives us these comforting assurances, he tells us that this is a "burning" and a "blazing" question, and exhorts us by no means to yield to the Nonconformist demand. "Better a thousand times resolve to stand firm, refuse to give up one inch of our line of defence, and prepare to fight out the Church's battle at once." Sir, I confess that the strong and stirring words of this belligerent divine fall somewhat unpleasantly upon my ears as an English Churchman. I cannot bring myself to consider those large bodies of English Christians, who do not conform to my Church, in the light of a hostile body against whom I am to do battle. I regard them rather as part and parcel of that great religious army which is waging war against the sin and ignorance which beset mankind. I look upon the Church of England in this country as the Regular Army, and the great Nonconformist bodies as the Irregular and Auxiliary Forces, and I hail with satisfaction any measure which by softening asperities, removing causes of jealousy, and engendering a feeling of equality between the different divisions of the Army may tend to promote, as such a measure must promote, the efficiency of the whole. But now, Sir, let us see what it is that the Nonconformists really demand, and in what kind of a manner that demand should be met. I put it in this way. They demand that the exercise of an admitted legal right should no longer be accompanied by conditions which in their eyes greatly diminish its value. And, Sir, allow me to say that it is now too late in the day to deny the existence of this legal right. You may rummage among old law books and obtain lawyer's opinions, as you can upon every question, one way and the other, but the Home Secretary himself admitted last year the legal right of a parishioner to be buried in the parish churchyard, and after the people of England have been educated in this belief for so long a time, it is too late to attempt to argue them out of it at this time of day. But, says the Home Secretary, a great deal about the grievance is said for the Dissenters in this House, and not by them in the country. Well, Sir, I am not fond of reading quotations to the House, but I will read a practical answer to the right hon. Gentleman from a letter placed in my hands only yesterday. The writer is a highly respectable Baptist minister. His father and mother had been between 50 and 60 years members of the Baptist Church at Bristol, and they then moved to Honiton, when the only available place of burial was the parish churchyard. Hear this gentleman's description of his father's funeral—

> "Around my father's grave were their eldest son, superintendent of a Baptist Sunday-school —and two other sons, Baptist ministers, his only daughter, the wife of a Baptist minister, his son-in-law a Baptist minister, and a deputation from the Baptist Church in Bristol, of which my father had been for 54 years a member, and a Deacon for several years; and yet no minister of our own body could utter a word, nor were we allowed even to commit the remains in silence to the grave, but we were compelled to have a minister of another body to read the service. Can you be surprised if under the sense that we were compelled by law to have that and nothing else, the beauty of the service failed to comfort, and, indeed, could scarcely be recognized?"

He bears witness to the kindly behaviour of the officiating clergyman, and concludes in words which I think must touch hon. Gentlemen opposite as they touched me in the reading. He says—

> "Would gentlemen connected with the English Church be satisfied with similar treatment, if the law prevented them from availing themselves of the services of one of their own clergymen and compelled them to call in a Baptist minister to bury their dead?"

Well, Sir, for this grievance, be it great or small, two remedies have been proposed to which I must now briefly allude. One is that of my hon. Friend the Member for West Kent (Mr. J. G. Talbot) who proposes public graveyards. What he says in effect is this—that sooner than allow the foot of that terrible animal, the Nonconformist minister, to enter the parish churchyard, or his voice to be heard therein, we will all of us be buried somewhere else. But there are two obvious objections to the proposition of my hon. Friend as a remedy for the grievance of which complaint is made. The first is somewhat of a sentimental character. The question is one surrounded with sentiment. And, Sir, the sentiment which induces a man to desire that after death his bones may be laid in the churchyard of his parish is not a sentiment exclusively of a religious character. There are associations of family, of locality, of tradition, which create the feeling, and these are associations of which the English people are especially susceptible. I am surprised that my hon. Friend who, as a Conservative, one would imagine anxious to cherish and preserve such associations, should be prepared at once to sweep away and ignore them all, if only by so doing he can keep the Nonconformist minister out of the churchyard. But the second objection is of a practical character. No doubt there are many churchyards overcrowded, although in many of these cases it is probable that contiguous pieces of land could be obtained at a comparatively trifling expense which would render them available for many years to come. But in a great many more instances the churchyards are amply sufficient for the burials required, and yet my hon. Friend—a Member of the Party who have been making the air ring with clamours for the reduction of local taxation—is prepared to inflict a new and costly machinery upon the ratepayers, and in order to keep the Nonconformist minister out, to lay upon local taxation this new burden, uncalled-for and absolutely unnecessary! Well then, Sir, there is another remedy proposed—namely, that which is called the remedy of silent services, with respect to which I at least have never used the disrespectful language of which complaint has been made by the Home Secretary. He seemed to forget, however, that there are two sets of circumstances under which silent services may be used. In the case of those religious Bodies whose practice it is to bury without religious service, and in certain individual cases in which for reasons upon which I need not enter, no service is desirable, I do not think any objection could or would be raised to the funeral being conducted without religious service. But the question we have to deal with is the case of those Nonconformist Bodies who do desire a religious service, but a religious service other than that of the Church of England. I go with your remedy so far as this—that I think to force the services of the Church of England upon persons who are unwilling to receive them is not only hard upon such persons, but degrading to the services themselves. But when you say to these persons—" Exercise your legal right without any service, and we on our part will forbear to compel you to hear our service as hitherto," I grant you are making a concession, though I think you have reduced concession to a minimum. But have you done nothing more? You have practically said to these people—"Your dead shall be buried in our churchyards because you have a legal right that it should be so." But at the moment of this interment—the saddest and most solemn moment to the friends of the dead—the moment of all others when men's hearts are softened and more than ever susceptible of the influences and impressions of religion — at that moment religion shall to you be dumb and you shall not be religious, unless you are prepared to be religious after our way and according to our fashion. Sir, I put it respectfully, but most earnestly to the House that this is not the way to strengthen the hold of the Church of England upon the affections of the people, or to conciliate men's minds to the Establishment! It is rather the way to estrange affection, to alienate sympathy, and to suggest, moreover, at a most solemn moment, a comparison between the claims of the Church on one hand and of religion on the other, which is little calculated to advance Church interests or to win love for the Establishment! Sir, there have been various minor objections taken to the demand which we are making to-night, which I need hardly notice. One, indeed, was urged by the Home Secretary, who laboured to prove that admission to the churchyards involved admission to the churches, and that the one demand would certainly govern the other. To this, Sir, I have only to say that when the question of admission to the churches arises, I shall be perfectly ready to discuss it upon its merits. But to concede to the demand now made is either right or wrong—just or unjust—and if it is right, I will not refuse to do that which is right to-day, for fear that if I do so, I may be asked to do something which I may think wrong to-morrow. But there are two main objections to the present demand with which I wish now to deal. They are those which we see constantly put forward at lay and clerical meetings upon this subject, and they deserve to be considered. The first is that concession to this demand would injuriously affect the status, the position, the influence of the clergy—the second, that it would subvert the principle of an Established Church. To show that I am correct in the statement which I am making, I must make one more quotation from our friend Canon Ryle. He says—

> "The question is simply whether other persons than clergymen may assist at Nonconformist funerals."

And, further on—

> "We contend that to allow the ministers and members of other denominations to carry on religious services either in national churches or churchyards, is to dethrone the national clergyman from his position and to deprive him of his official privileges. If Mr. Morgan's Bill contained a single clause which fully recognized the rights and privileges which the clergy of the Established Church have enjoyed for three centuries, I might think differently of it."

Now, Sir, I have the most sincere respect for the clergy of the Established Church. No doubt it occasionally happens that some clergyman whose zeal has outrun his discretion, adopts a line of conduct which brings scandal upon the Church, and is deplored by more discreet Churchmen. But take the clergy of the Church of England as a body, and you will find them men of exemplary habits, of remarkable purity of life, of great earnestness and great self-denial, diligently and faithfully doing their Master's work in their Master's vineyard. These, Sir, are men whose feelings I would not willingly hurt, and from whose status, position, or influence I would not detract one jot or one tittle. But does any one in this House seriously suppose that this would be the effect of concession to the demand we make to-night? The influence of the clergy is deservedly great—their position is universally respected. But why is this so? Not because of any assumption by them of sacerdotal authority in a country in which priestcraft is mightily unpopular; nor because they have by law a limited freehold in the churchyard which enables them to keep out the Nonconformist minister. No, Sir, their influence arises from the good, zealous, laborious work which they do among their people, and so long as the clergy of the Church continue to be what they are, it is not one concession nor fifty concessions of this kind that will ever shake their influence. But I venture to say that there is a danger to the clergy at this moment, and that danger comes from their own especial friends. If you have a concession demanded by the Nonconformists which a large number of the laity of the Church of England—aye, and as we know by a memorial presented to the Prime Minister only yesterday—no small number of the most enlightened among the clergy themselves are prepared to grant—I say that to tell me it is the great body of the clergy who stand in the way of granting this concession—to say that considerations of their dignity, their status, their influence—are to prevent us from giving what is asked, is to place the clergy in an invidious light before the country and to force them into a position from which their best friends should desire them at once to be extricated. But if you tell me that the principle of an Established Church will be subverted by this concession, I reply that you are treading upon dangerous ground. Here is proposed an alteration in the law which has already been sanctioned by repeated majorities in more than one House of Commons. Here is an alteration which will remove a grievance felt by many religious Bodies in this country, which will tend to a greater equality among English Christians, and which is asked in order to put an end to a state of things which produces irritation, bitterness, and ill-feeling, where only love and charity should prevail. Tell me that such an alteration is subversive of the principles of an Established Church, and I reply that you are putting a powerful weapon into the hands of the advocates of Disestablishment. Sir, for my part I have never been in favour of Disestablishment; I have spoken against it both in and out of this House, although I frankly admit that I do not fear it as it is feared by some. I have opposed it rather for the sake of the State than of the Church, and I am prepared to admit that much good as well as evil might result from it. But, Sir, Disestablishment will come when, and not before, the people of England desire it. It will neither be hastened nor retarded for one single moment by the course which you may adopt with this Resolution to-night. There are moments, Sir, it is true, when I begin to doubt whether the Establishment can be long maintained. But these are not the moments in which we are drawing nearer to the great Nonconformist Bodies of the country. When I see the clergy and laity of the Church of England wildly excited among themselves and angrily disputing whether at some especial moment a clergyman should turn to the East or to the West—or, when, again, I see some respectable layman held up to public odium because he is not quite satisfied with the clergyman's own particular Devil, then it is that I begin to doubt for the Establishment. But it is not such things as Burial Bills that will affect its existence. Sir, I am daily growing more and more convinced that, if the Establishment is to be maintained, it must be by widening its foundations and resting them upon a broad and liberal basis. We call ourselves the National Church. Let us be national in reality as well as in name. Let us speak words of love and charity to our Nonconformist fellow-countrymen in this matter of the national churchyards. Sir, if the answer to their demand upon this question were left to me I would give one both simple and easy. I would address the Nonconformists in some such words as these—"We differ indeed upon many points, but after all, we only differ as to the manner in which we should serve the same great Master. Let then, those differences end at the grave. Bring your dead under the shadow of our old church walls. Let the ministers of your religion speak words of peace and comfort to the mourners of their flocks, even as our clergy speak to us—and when the body of the dead man is laid in the grave, let us forget to ask whether he was a Nonconformist or a Churchman, and remember only that he was an English Christian!" Sir, to my mind these words would be words of wisdom—this course would not lessen but increase the authority of the Church, and, in my opinion, it is in this spirit that the question ought to be settled. Sir, this question can only be settled in one way, and no one knows that better than the Prime Minister himself. I do not know whether the right hon. Gentleman is going to speak to-night. If he does, no doubt the eloquent words which he knows so well how to use, may rally round him a majority in the Lobby against this Resolution. But your majority will avail you nothing. On our side is the calm, still, strong force of a growing public opinion, which is slowly but surely tending to the settlement of this question. And it would not surprise me, in the slightest degree, if before this Parliament shall have run its course, the right hon. Gentleman will have settled this question as he has already settled other great questions, by introducing some measure which, while it is able to retain in his support that loyalty for which his Party is always so conspicuous, will practically yield to every demand which has been made from this side to-night. Well, then, Sir, let us strengthen the right hon. Gentleman's hands to-night by such a division as shall show him by no uncertain sign the real current of public opinion in favour of this Resolution. For myself I can have no doubt how to vote. If I thought this concession would in any sort or degree injuriously affect the clergy, I would hesitate long before I voted in its favour—if I thought it could in any way damage the Church, I could scarcely bring myself to support it—if I thought it could in any way prove injurious to religion, nothing should induce me so to vote. But, Sir, believing as I do that its tendency is to make the Church more truly national—believing that truth, justice and Christian charity alike demand the settlement of this question in the spirit of the Resolution of my hon. and learned Friend, I can have no hesitation in giving it a frank, a hearty, and a cordial support.

Mr. W. C. BROOKS said, they had been reminded that the churchyards were the property of the nation, and in a former debate the expression had been used that it was desirable that those who held the purse-strings should have their way. But the holding of the purse-strings had been relinquished by the Dissenters long ago. When they urged the abolition of church rates their cry was that they had no part nor lot in the Church, and, therefore, they were not bound to repair the fabric or support anything belonging to it. But every parishioner had a claim far higher than a mere money payment. He had a right to the parish churchyard—not to build a house in it, not to browse his cattle there, but to demand burial according to the service of the Church of England. Of course, Parliament, which was all-powerful, might direct that an alteration should be effected in that service to please those who dissented from the National Church. No doubt, such a change would give pain to the Church, and it would be for those who sought that change to show why that pain should be inflicted. But many who did not share the feelings of the Church of England seemed not to understand how there could be any pain at all. An instance of that was unconsciously given by the right hon. Gentleman the Member for Birmingham (Mr. John Bright), when, in speaking last year in favour of the Burials Bill, he had occasion to use the word "consecrated," but so foreign to his notions was the conception of the idea conveyed by that expression, that he seemed not to remember what the word was, and they saw him turn to his neighbours to be prompted with it. Hence it was that those who ignored consecration could not be expected to understand the feelings of those who attached value to that act. They appeared not to be able to understand how deeply the feelings of a Churchman might be wounded when he saw his consecrated ground used by those who mocked at his belief. For they could not draw the line of prevention: in that matter there could be no compromise. No Dissenter would be satisfied unless the funeral service was performed by his own minister in his own way. No doubt the good taste of very many Dissenting ministers would prevent the introduction at the grave of the elements of controversy; but what guarantee had they for that? Take the case of a professed Atheist. According to the logic of the Resolution, that man would have the right to claim burial in the parish churchyard, having previously cunningly arranged that an opportunity should be taken to disseminate his detestable doctrines. Many other such scenes might be readily imagined which would give pain to the Churchman, occurring, as they must do, on the very soil of which he had been for centuries the sole guardian. Before such a state of things could be permitted to exist, there must be shown to be in the country a majority of dissentients from the National Church so great as to make the number of her adherents comparatively insignificant. They had not arrived at that state—and he hoped they never would—in which the Church had lost her hold over the hearts of her members or forfeited her claim to have her rights respected and her feelings consulted. What, then, was to be done in the meantime? The Dissenter must abide by the consequences of his Dissent. Whenever a man took a course of action opposite to that of a majority of his fellows, all experience showed that he must pay for it somehow; and therefore let him enjoy his acquired liberty of action without looking back to the privileges he had voluntarily relinquished.

MR. W. S. ALLEN: I was anxious to say a few words on this question, as I happen to belong to one of the great Nonconforming Bodies of this country, and a Body which is, perhaps, interested more than any other in the settlement of this question. I allude to the Wesleyan Methodists. Now it is well known that the Wesleyan Methodists have always been, as a rule, men of moderate political opinions. We have had very few violent politicians amongst us. The Wesleyan Methodists have also had no hostile feelings to the Church of England. Many of them are even at the present day men of Conservative views, and men who are in favour of the union of Church and State. But I am bound to say that on this question an almost unanimous feeling exists among them in favour of the principle embodied in the Motion of the hon. and learned Member for Denbighshire. Now, when a great Nonconforming Body like the Wesleyan Methodists, and a Body which has always been remarkable for the moderation of its political views, and its kindly feeling to the Established Church; and a Body which numbers in England alone no less than 354,000 members, and has upwards of 1,000,000 regular hearers every Sunday in its chapels, asks, with almost united voice, this House to redress a grievance it complains of, I think its request is well worthy the attention of the House of Commons. And, after all, it is a very small boon we ask. It is simply that we may bury our dead in the old churchyards of this land, with our own simple funeral rites, performed by our own ministers. The grievance we complain of was very forcibly brought before me some two months ago, when it was my painful duty to follow to the grave a near relative of my own, who had been for many years a Wesleyan Methodist. She was followed to the grave by two

Wesleyan ministers, and by about 40 other Wesleyan gentlemen; but those ministers could take no part in the service. Would it not have been more consonant to the feelings of the mourners who followed her to the grave, if the magnificent service of the Church of England, to which I, for one, have no objection, had been read over her grave by one of her own ministers, and would it not have been a graceful and kindly act in you to have permitted such a thing to be done? I admit that in her case the grievance was not so keenly felt as it might have been; because, fortunately, the clergyman of the parish in which she lived is a man of kindly and liberal views, and he and the other clergyman who performed the funeral rites were both her personal friends. But supposing she had lived in a parish where the clergyman had been a man of extreme Ritualistic views, who had regarded her as a Dissenter with feelings of dislike and loathing, would it not have been most painful to us to have seen her consigned to the tomb by a man who looked on her with contempt and scorn? ["Oh, oh!"] Hon. Members may cry "Oh, oh!" but when I see speeches like that of the Rev. Mr. Hugo, who spoke of our dead as the "carrion of Dissent," I think I have some foundation for what I say. And unfortunately there are a number of the clergy of the Church of England—and, I am sorry to say, a rapidly-increasing number—who do look on Dissenters with feelings of ill-concealed contempt and loathing. This boon we ask cannot injure the Church of England. The Church of England is strong, perhaps stronger at the present moment than she has ever been before. It is the part of the strong to be just and generous. And I appeal to the Churchmen who sit on the opposite benches to grant us this little boon, and generously to redress this grievance of which we complain. And I ask them to concede to us this small demand, based, as I maintain it is, on justice and equity, that our bodies, whenever our Creator shall call us to die, may be laid in our graves in those beautiful churchyards in which generations of our forefathers are sleeping, with our own simple funeral rites, performed by one of our own ministers.

Mr. GRANTHAM, in opposing the Resolution, said, it appeared entirely superfluous on his part, or on that of any hon. Members on the Conservative side of the House, to say a single word in reprobation of the Motion of the hon. and learned Gentleman after the exhaustive speech of the Home Secretary; but he did wish to point out the error of those who supported it, when they maintained that there was a difference between the church and the churchyard. In his argument on that point the hon. and learned Member for Denbighshire laboured under a great fallacy, and if that fallacy could be cleared away there would be much less difficulty in coming to a conclusion on the whole subject. He admitted that if a Common Law right could be shown on the part of every parishioner to be buried as he liked in the parish churchyards, then one would have no right to force him, as it were, after he was dead, into Church by reading over his body the Church service. But he joined issue with the hon. and learned Member upon the point, and held that it was unjust to accuse Churchmen of intolerance and bigotry in requiring that the service of the Church should be read over those who were buried in the parish churchyards, or, at any rate, that the matter should be placed under the control of the minister of the church. He denied that there was any such Common Law right as that to which reference had been made, and he challenged the hon. and learned Member to prove it. It was true that in later times it had not been the custom, where cemeteries or private burial places had been established, to bury people who differed from the Church in the churchyards; but that was not because they had any Common Law right to perform any service they chose, but because it was thought desirable to permit the interment in those burial places on the ground of necessity and decency, and as they were not in any way connected directly with the Church there was no reason why, if the friends of the deceased preferred it, the service should not be treated as a civil, instead of a religious service. For this reason the dual burying-grounds of consecrated and unconsecrated ground were provided. Touching on the history of legislation upon the subject of burial, he would point out that grounds acquired under recent Acts of Parliament for the purpose of increasing the churchyard in any parish went through the ceremony of being consecrated as belonging to, and as being part of, the Church. In all the cemeteries which had been formed throughout the country a portion of the ground was invariably left unconsecrated, and for what purpose? It was because Nonconformists and Dissenters, at any rate a great many of them, did not think it right that they should be buried in consecrated ground. What they were doing, therefore, with respect to the Resolution, was to ask Parliament to unconsecrate the parish churchyards of England. The whole principle of legislation with regard to our parish churchyards had been from the first that they were part and parcel of the Church of England, and it had been thought necessary for the discipline of the Church that they should be under the control of the parish minister, subject also to the control of the Ordinary or the Bishop. It would, therefore, be very inconsistent for a Dissenting minister to be permitted to perform a burial service who was in no way subject to the control of the Bishop or Ordinary. He strongly objected to any alteration in the present law in reference to the parish churchyards; but he should be happy to assist in altering our present form of burial service to make it more in consonance with the views of Nonconformists, if it could be shown that there was any real objection to the language or any of the expressions in that service inconsistent with the religious feelings of a Nonconformist.

MR. WALTER said that the question was one in which he had taken a deep interest for years. When the proposal to open the churchyards was first introduced to the House, he, in common with most Churchmen, felt considerable difficulty in entertaining it; but year by year as the discussion advanced he had seen reason to shape his views in harmony with those of the hon. and learned Member for Denbighshire (Mr. Osborne Morgan). He had unfortunately been absent from the House when the hon. and learned Member introduced the subject, and he was unaware what line of argument he had pursued; but he certainly thought the hon. and learned Member was to be congratulated on the happy accident—if the expression might be used—which had obliged him to substitute his present Resolution for the old Burials Bill with which they had been acquainted for so many years. The Resolution seemed to him to raise the question in a more convenient form, asserting as it did a broad principle, which if it did not solve the whole difficulty of the case, at all events laid a foundation for its future and final settlement. He had heard the speech of the right hon. Gentleman the Home Secretary, and, although it was an able and eloquent exposition of the views he might naturally have been expected to entertain, it did not appear to be at all a convincing reply to the main proposition involved in the Resolution before the House. He would not enter into any antiquarian digressions, however interesting that branch of the subject might be, as to the origin of churchyards and their connection with the Church on the one hand, or as to the grievance of Dissenters on the other. To enter into the history of grievances was at all times an unprofitable task. It appeared to him to be a much more practical matter to consider whether they had any real existence in fact and reason, and whether they were such as under existing circumstances ought to be entertained. Now, the broad question on which he rested his vote was this; and if the House would do him the favour of listening to him for a minute or two, he thought he should show how this question, which was capable of being spun out into speeches of very great length, lay within a small compass, indeed, and was reducible almost to within a nutshell. Already they had advanced to this point; his hon. and learned Friend the Member for Denbighshire had at least the right to take credit for this fact—that he had forced upon the country and the Government the necessity of contemplating the whole question of burials. That was of itself no small point gained; and when they found the clergy in diocesan conference and in Convocation were taking up the question and discussing the necessity of providing public cemeteries, they might conclude they had advanced a stage towards the solution of the question. His belief was that the question, fairly examined, resolved itself into this—namely, inasmuch as cemeteries were by universal consent an impending necessity, an arrangement which must sooner or later be made—whether during an interval of 20, 50, or it might be 100 years—the churchyards (and in that term he included not only the old parish churchyards, but the churchyards of modern churches) should be declared to be cemeteries for all public purposes. That was, he believed, the real point, and the whole question they had to decide by their vote. His answer to that question would be distinctly in the affirmative. He looked upon interment as a civil right which necessarily belonged to every human being. Every one sooner or later came to die, and he had the civil right of interment. It was not in accordance with public policy that people should be left to find burials for themselves in holes and corners, in gardens, fields, or ditches. The policy of State required that there should be a public place of interment common to the parishioners, and that right being once granted, it seemed to him to follow as a matter of natural justice that the burials should be attended with such services as might be in accordance with the wishes and feelings which had been entertained by the deceased, or with no service if that were the wish. He might shock some minds if he carried this doctrine to its extreme length; but the more he had considered this question, the more he believed that any restrictions upon the mode of interment or upon the service connected with it, except such as were considered necessary by the State for the preservation of public order and decency and the observance of sanitary conditions, were unreasonable in themselves and impossible to defend by argument. Of course, he was bound to go to the full extent of that argument. He had thought at times that there might have been a compromise, and he believed a large section of the House was willing to see a compromise effected; and, for all he knew, Dissenters themselves were willing to see the question compromised, by having the service conducted by a minister, the reading of passages of Scripture, and hymns. He thought, whether a man were a Protestant of any denomination, or an unbeliever, or a pagan, or a Turk, or even a Malay, such as had been referred to, so long as nothing was done which would shock public decency and the feelings of the public at large he had a right to that mode of service. That was the principle he was prepared to defend, and which all the Burial Bills naturally led to. They heard a great deal spoken of the hardships that would be inflicted upon the feelings of the clergy and the feelings of the laity by allowing and tolerating other services than those of the Church of England in consecrated churchyards; but the more he considered this the more it vanished into thin air—into words. How his feelings should be hurt, even in the case of a churchyard which he had given to the Church for the burial of Church people, by the burial of some other person in that churchyard he really found it impossible to say. He could not reduce it to substance. This he would admit, that no possible hardship that could be felt by the clergy or imagined by them as growing from the permission of other services than those of the Church of England in the churchyards could for a moment be compared with the hardships of their present position in performing the service over those for whom it was not suited. He believed this was a hardship which clergymen of tender consciences felt very deeply. With regard to the consecration of the churchyard, he had never been able to make out what virtue consecration imparted to the soil beyond that of separation for certain purposes. The consecration of a churchyard set it apart for the purpose of burial, but what virtue it communicated to the soil so as to render it fit only for the burial of Church people with the service of their Church, and not fit for Dissenters with their service, he was unable to understand. What must be the case of the unfortunate people who died at sea? Take the case of a line-of-battle ship in which 100 sailors were killed. There might be men of all denominations—Episcopalians, Presbyterians, Baptists, &c., among the dead, but they were not thrown into the sea without service. The chaplain would read the service over the bodies of the Episcopalians; but if a Dissenter asked to be allowed to say a prayer over a comrade, a request so natural and reasonable would not be refused. What loss such persons could sustain because the sea had not undergone the ceremony of consecration he was totally at a loss to understand. The whole case appeared to him to lie within the smallest possible compass. He had made up his own mind that the only way to treat this question was to recognize the churchyard as the burial place of the parish in default of a cemetery. He, for one, would not vote for the compulsory extension of the churchyard; but supposing a churchyard, as many of them were, crammed full of corpses, utterly unfit to be used, in a shocking, neglected, and, he might almost say, disgusting state, savouring little of the odour of sanctity or consecration, he would not permit it to be extended, but in such cases he would have compulsory powers given to the parish to take grounds for a cemetery; and in the meantime, in the absence of such a place, he would have the churchyard declared to be the burial place of the parish and used for that purpose. If the clergy could only be got to look at the question from that point of view—and he knew many of them had looked at it in that light, for he had discussed it with them at diocesan meetings—they would take a much more simple and natural view of the case. He had considered the question merely from a general and abstract point of view, but he might say it was not merely a Dissenter's grievance. He thought that Churchmen had a grievance, too. By the law as it stood, a child of a Churchman, equally with a Dissenter, if it died unbaptized could not be permitted to have any funeral rites performed over it. If he had the misfortune to lose a child which was unbaptized, he should consider it a great hardship—something unnatural and hurtful to his feelings—that he should not be allowed himself, with the friends who accompanied him, to say a few words of prayer coming into his mind suitable to the occasion. He should consider that a great hardship, and he should wish such a state of things to be remedied. He should only add that it was his intention to follow his hon. and learned Friend to a division, hoping, whether the Resolution were carried or not, that the subject would receive general attention throughout the country, and by this means lay the basis of some solid legislation.

MR. STOPFORD SACKVILLE said, that after an unbroken silence of several years, he would ask the indulgence of the House while he said a few words on a subject which, to him, as an Englishman and as a county Member, was peculiarly interesting. He said "as an Englishman" because Scotland and Ireland were not included in the purview of the Resolution, and "as a county Member" because, in consequence of the multiplication of cemeteries throughout the country, this question was of more importance to scattered populations and retired villages than to towns having a large urban population. He regretted that the hon. Gentleman who last addressed the House (Mr. Walter), who had such weight and character, and who, he might say, had been a counsellor in the Church of England for so many years, should have given his voice contrary to the side which he was there to advocate. It appeared that the hon. Gentleman objected to all services in the parish churchyards, and wished an Act of Parliament to be passed for the purpose of turning all churchyards into cemeteries. In former years, when advocating his Bill, the hon. and learned Member for Denbighshire used to introduce instances of hardship where clergymen of the Church of England had acted in a bigoted and sectarian spirit in refusing burial to the bodies of Dissenters. Now, however, the hon. and learned Gentleman seemed rather to have dropped those illustrations, probably because they were not sufficiently numerous to afford a standing ground for his argument. The Resolution asked permission for interments without service, and he (Mr. Sackville) believed the Government would have no objection to that; but objections to silent funerals came principally from the hon. and learned Gentleman's supporters, such as the right hon. Member for Sandwich. The alternative was a service other than that of the Church of England. The Resolution, if only the word "yards" were expunged from it, would open the parish church to all sects and denominations; and if that were done, how could we stop at religious Dissenters? Considering the enormous population which owed allegiance to Her Majesty, there was no reason why savage islanders should not come to England, settle in a parish, and demand the rights conceded to religious Dissenters. Again, sectarian differences were not so completely extinct in this country that we need have no fear of tumults if a crowd of people of different denominations assembled in a churchyard, and now, in the event of a disturbance, we could not say that the damage should be repaired out of the church rates. The House had been told that there was no logic in the opposition to this Resolution. He maintained, on the contrary, that the position of the Nonconformists in this matter was politically untenable since the abolition of Church-rates, and that the Disestablishment of the Church must logically result from throwing the churchyards open to all denominations. They knew from the Returns that the Nonconformists were themselves in possession of considerable endowments and revenues, but they wished also to have the fortunes of the Church divided among them. He thought that first of all they should bring their share of the property into hotch-pot. As a matter of fact, the Bill for which this Resolution had been substituted, claimed for Nonconformists privileges which were not allowed to Churchmen, because the former would have an opportunity of choosing their own minister and selecting any service they pleased. But the same law which allowed Nonconformists to have chapels permitted them to have burial grounds; and if they had not chosen to avail themselves of this privilege to a sufficient extent, the circumstance only showed that in the good old times they had no objection to be buried in the parochial churchyards with the Service of the Church of England. Members, however, on that (the Ministerial) side of the House who supported the Bill of the hon. Member for West Kent (Mr. J. G. Talbot) were not only willing that Nonconformists should have their own chapels and burial grounds, but that whenever a reasonable proportion of the population desired it, cemeteries should be provided at the expense of the rates. If the proposal of the hon. Member for West Kent were adopted it would be a hardship on Churchmen to this extent, that they would have to support these public cemeteries in addition to their own churchyards, but he believed they would be ready to do this in order to relieve the Dissenters of any substantial grievance. Last year the right hon. Gentleman opposite (Mr. Bright) made what all felt to be a most touching appeal upon this question, but he also gave up his argument when he said that in Scotland the churchyards "are not—what do you call it?—consecrated." Such a remark displayed ignorance of the feelings of English Churchmen, who were not attached to the churchyard, merely because it was consecrated by a certain form of prayer, but because their ancestors were buried there, and it had become sacred by the tears of generations of mourners. If, however, from the point of view of the right hon. Gentleman, there was no difference in the minds of Dissenters between consecrated and unconsecrated ground, why seek to filch from Churchmen a cherished possession—their parochial churchyards? No doubt the time would come when the wolf would lie down with the lamb, but when the wolf began shearing the lamb, and then proceeded to eat its hay, the lamb would not much appreciate the companionship of the wolf. The Nonconformists said there were national churchyards, of which they must have their share. He should rather say the churchyards were parochial property, set apart for special purposes by landowners and Church-founders; but, granting that they were national property, the enjoyment of such property was subject to conditions. Here the condition was the right of the clergyman to read the service of the Church. Dr. Farr, in a letter appended to the Report of the Registrar General, said the question of interment was a question not of sectarian grievance, but of public health; and, speaking of some of the rural churchyards, he said the graves there were becoming thick, and the charm was fast vanishing. It was not, therefore, so desirable in the interests of public health to promote additional funerals in the churchyards, and the proper remedy was not in throwing open our parochial churchyards more widely than before, but rather in providing additional facilities for the multiplication of cemeteries. He could not help thinking that the speech of the Home Secretary pointed to some measure of this kind; but however that might be, he denied that he and those who thought with him were defending an indefensible position. In his opinion, the defenders of the Church required steadfastness rather than compromise. They were not the first to begin this strife; but, if it was to be renewed, he did not see why the victory should be on the side of the minority. The defenders of the Church might apply to themselves the language of the Royal Proclamation upon the transfer of the Indian Government to the Crown—

> "We desire no extension of our present territorial possessions, and, while we will permit no aggressions on our dominion or rights to be attempted with impunity, we shall sanction no encroachments upon the rights of others."

SIR ROBERT ANSTRUTHER: I am sorry, Sir, I did not hear the whole of the observations of the hon. Gentleman who has just sat down (Mr. Sackville), but I am bound in honesty to state that what I heard seemed to me to tell more in favour of the Resolution before the House than in favour of the views the hon. Gentleman intended to take. The hon. Gentleman has spoken of the hallowed associations connected with a churchyard; he has referred to family feelings and to the sacred memories attached to the graves of the dead. I will ask the House—are these feelings and associations confined to members of the Church of England? Is it to be argued that in the case of a Dissenter whose father, and mother, and brethren are Church people, and who has himself become a Dissenter, owing perhaps to the extravagant views of the clergyman of the parish, it is unreasonable for him to ask that when he dies his body shall be laid beside those of his relations? I should not have presumed to trespass on the time of the House in this debate if it had not been that Scotland has been very freely referred to in the course of it. I am glad that Scotland has been referred to, for if the argument which can be adduced from the practice in that country is of any avail whatever, I think I shall be able to show the House that it is entirely in favour of the hon. and learned Member for Denbighshire. I regret that the right hon. Gentleman the Home Secretary has left his place, for he made very full allusion to the practice in Scotland, and it seems to me that it would have been better for the arguments of that right hon. Gentleman if he had omitted that portion of his speech which referred to Scotland. It seemed to me that all that portion of his speech told far more against the point which he desired to show and impress upon the House than in favour of it. Now, Sir, the practice and the law of Scotland have been correctly stated by my right hon. Friend. According to the Common Law, the heritors are bound to provide churchyards and burial-places, and my hon. and learned Friend (Mr. Osborne Morgan) although he did not state it, must know that that it is according to the ancient Scottish statutes, dating so far back as 1560 and 1563, by which the management and control of the parochial churchyards in Scotland were vested in the heritors, and these Acts continued in force until the Burials Act of 1855. The Home Secretary has pointed out to the House very fairly that, both by the ancient Scottish law and by the more modern Scotch statute, the control of the churchyards in Scotland was entirely removed from the ecclesiastical dominion. ["Hear, hear!"] I presume to ask the right hon. Gentleman, and the hon. and gallant Gentleman who has just cheered my last sentence, whether, by any possibility, there can be any connection between the fact that the control of burial yards in Scotland is taken from the ecclesiastical dominion, and the fact that the conduct of burials in these churchyards is entirely free from the vexatious restrictions which we find imposed upon churchyards in England? I wish my right hon. Friend had been in his place to answer this question. The case is very much stronger than he has put it; not only is there entire freedom of service in churchyards in Scotland to every parishioner, but by an ancient decision given by an eminent Scottish Judge, every inhabitant of a parish in Scotland has a right to be buried in the parochial churchyard. My hon. and learned Friend has provided, both in the Resolution before the House and in the Bills which he has so frequently brought in, that there should be safeguards against improper services in the churchyards. ["No, no!"] The hon. Member who says "no" may not possibly have had a seat in this House a few years ago; but if I recollect rightly, the Bill I refer to provides that only the reading of Scripture and prayer, and a singing of hymns, should be permitted. [Mr. ORR EWING: There were no safeguards offered.] I am coming to that. You make the assertion in the face of Bills in the clauses of which safeguards are provided for. I accept the challenge of my hon. Friend. I believe I shall have arguments to adduce which will have some weight with the House. I conceive it is not unwise to say to the House that every proper safeguard shall be provided against improper services; but how does the case in Scotland stand? It stands thus—every parishioner and inhabitant, by the Act of 1855, has a right to be buried in the parochial churchyard. I need not say to the House that there is no restriction applied, or desired to be applied, to the performance of the burial services in these churchyards by the Church of Scotland, and I may be allowed to say that there is no section of Scotchmen who will more keenly oppose any attempt to sever the tie that binds Dissenters or Seceders to the Church by the means proposed by the hon. Member for West Kent (Mr. J. G. Talbot) than the members of the Established Church of Scotland. All services are allowed in the churchyards of Scotland, and although the Home Secretary seemed to make light of it, I respectfully submit to the House that having regard to our ancient prejudices in Scotland, which I am happy to say we have very much outgrown, it is not a thing to be treated lightly by the House when I say that the services of the Roman Catholic communion and of the Episcopal Church are conducted in the parish churchyards of Scotland in full canonicals, and that there never has been, and I believe there never will be, the slightest objection made on the part of the members of the Church of Scotland, or by any other person in that country. And now I come to the question of safeguards, on which subject I am not the least afraid to meet my hon. Friend the Member for Dumbartonshire (Mr. Orr Ewing). As to the entire absence of safeguards, I may mention that only a few months ago I was in communication with a distinguished Scotch divine, whose name I do not feel at liberty to mention. I asked him if there had ever been any differences in consequence of the entire freedom of the service read over the bodies in the churchyard, and he replied in words somewhat to this effect —"I believe you may search the records of all the Presbyteries of the Church of Scotland, from the days of John Knox down to the present day, and I do not believe one single case of impropriety over a grave or at a funeral can be found." But are not hon. Gentlemen on the other side traducing their own kith and kin? Are they not casting a reflection upon their own countrymen? Is it that Scotchmen are so infinitely superior in common sense to Englishmen? ["Hear, hear!"] I am glad to hear hon. Members on the other side cheer in that way, and I accept the compliment paid to my country. I would rather think, however, that England is to some extent on a par with Scotland. If any hon. Gentleman thinks not, do not let them say that I run down his countrymen, for the reflection has been cast by their own countrymen. My right hon. Friend the Home Secretary brought out a book, which I am exceedingly glad to say he did not read, and this, he said, had been put forward by those who do not believe in the Divine Being, and who enunciate certain horrible and monstrous doctrines. Well, Sir, we are not all good people in Scotland, although I think the large proportion of the people of that country are very estimable. From the nature of the case there may be some such persons in Scotland as the Home Secretary describes as existing in multitudes in England. Well, will you believe it, there is not a single word in any statute, law, or provision with reference to burials in Scotland which has reference to safeguards. I have said that I should be quite willing for my hon. and learned Friend to appoint a safeguard, but when I am challenged by the statement that he proposes to throw away all safeguards, I say he is only proposing to do that in England which for 300 years has been done in Scotland. I submit that that is a fact which the House should take into its most careful consideration. I admit that there is some power of control over burials, but I affirm that for 300 years that power has not been used. Then there cannot be such a difference between the state of things on one side of the Tweed and on the other that that which has been enjoyed for 300 years by every sort of Dissenter on one side, cannot be enjoyed on the other. I do not think that a very strong case was made out by the Home Secretary in his speech. One part of it was very remarkable. He said that even admitting that a Dissenter has a right to be buried in the parish churchyards, what are you to do in the case of churchyards that have been subscribed and paid for and erected by the Church of England and by private benefactors. It is a monstrous thing, he said, that private individuals should spend their money in this way, and that the Dissenters should have use of the churchyards. The right hon. Gentleman opposite appeared proud of the state of things which existed in his own Church; but I must say I should not be proud of it if it were mine, if such an argument was needed to support it. Does no other

Established Church build churches or establish churchyards besides the Church of England? I have here a statement showing the number of parish churches endowed by private members of the Church of Scotland during the past five years, and I see from that that the Endowment Committee of that Church during the period I have mentioned succeeded in creating 150 new parishes. This left many districts still unprovided for, and a plan for the endowment of 100 other parishes was therefore proposed.—I commend this statement to my hon. Friend the Member for Huddersfield (Mr. Leatham) sitting on the back benches on this side, who once described the Church of Scotland as a "patient who was dying, and could not bear the knife." I have long ago forgiven him for saying that.—The plan was put into practice, and its success has far exceeded even the most sanguine expectations. During the first four years there were 65 churches erected, so that the total number of churches built by private means is 215. My right hon. Friend the Home Secretary will say (for if the argument is good for England it is good for Scotland), what a monstrous thing that after the Established Church has been expending all this money, sufficient to endow 215 churches, a Dissenter is to come forward to claim to be buried in a churchyard (although in all cases there are not churchyards attached to the parishes). I should scorn to put forward such an argument, to say that because we have raised the money for the establishment of these churches, we will not allow a Dissenter to be buried in them. I do not think the Church of England has fallen into very good hands to-night. As far as I can see, all its friends are on this side of the House. My right hon. Friend has made a speech, one similar to which I trust I may never hear made in defence of the Church of Scotland, and I have heard other speeches all tending to represent the Church of England in this matter as desirous of maintaining a position of narrow exclusiveness. I may tell hon. Members on the other side of the House that I am a Churchman, and that I wish to see the Church of England maintain her influence and increase her hold on the confidence and affections of the people of the country; but may I express my opinion that the action of some of the dignitaries, and some of the clergy, and many of the laity of that Church is doing much to sap the foundations of the Establishment—has done more to sap those foundations than all the proceedings of the Liberation Society during the past five years. If we are to have a National Church, it must be a comprehensive Church; and if the hon. Member on the other side (Mr. Orr Ewing) desires to see the Church of England maintained in a national position, he must save her from the action of those who would induce her to pursue a course of narrow-minded bigotry. It is ridiculous for Church people to suppose that all Dissenters are their sworn enemies. That is far from being the case. Many of them, I believe, in whatever they do to affect the Church are actuated by friendly motives, and I believe that many would not take a step against the Church, if they were not driven to it. ["Oh, oh!"] I believe what I say to be the case. The condition of the Establishment would be much more satisfactory if my hon. Friend opposite (Mr. Orr Ewing) and some of those over-zealous Friends of the Church would hold their hands. If my hon. Friend votes with the Government on this question, he will feel very uncomfortable all the time he is in the Lobby, and he will be still more uncomfortable when he presents himself before his constituents to give an account of his stewardship. ["Oh, oh!"] I do not mean to say that he is guilty of any unworthy motives, and the House, and he, I trust, will excuse me if I have said anything unpleasant to him. I shall be very much surprised when we come to see the Division List to-morrow, if we do not find that many Scotch Members on the Ministerial side have found it convenient to go to bed early to-night. In the interest of plain truth and honesty I wish to see this question settled, and I hope it is not too much to expect the Prime Minister to settle it, although he did say a few days ago that he would give the Resolution his most staunch and uncompromising resistance. ["Hear, hear!" *from the Ministerial benches.*] I should not cheer too much if I were hon. Gentlemen opposite, because there is no knowing what the right hon. Gentleman may do. I have no doubt he has too much the interest of the nation at heart to pay any attention to cheers which come from only a section of his party, and, I say, I hope that it is not too much to ask Her Majesty's Government to make up their minds to deal with this question in a bold and comprehensive spirit.

Mr. J. G. TALBOT, in whose name an Amendment to the Resolution stood upon the Paper, said, he recognized with much pleasure the honourable spirit which had been exhibited by hon. Members opposite in their conduct of this debate, more especially when it was considered it was a question with regard to which strong views were held. The hon. and learned Member who had introduced this subject had on former occasions given the House rather impassioned diatribes against the course adopted on this question by the Church of England, but he had now shown a moderation that he hoped would lead to a settlement of this dispute. In order to bring about a satisfactory settlement—a step which he ardently desired to see effected—it was necessary in the first place to fully recognize the position of the Church of England, and also that of the Dissenters, with regard to this subject; and, secondly, to recognize its sanitary aspect. He had been quite convinced by the speech of the Home Secretary that, for the sake of the health of the population, most of the old churchyards should be closed with as little delay as possible, and with that belief he had given Notice of the following Amendment to the Resolution of the hon. and learned Gentleman, which the Forms of the House would not permit him to move—

> "That, considering the crowded state and insufficient area of many churchyards, it is desirable to make more general provision for the supply of public graveyards; such provision to be made by a cheaper and more simple method than that which is afforded by the provisions of the Burial Acts."

He had already brought before the notice of Parliament a Bill intended to provide greater facilities for the establishment of burial-grounds, and in so doing he had, perhaps, incurred the wrath of several hon. Gentleman with whom, as a rule, he acted; but he hoped, before the Bill proceeded much further, to secure the assistance of many hon. Members on both sides who desired to see the present system of local taxation reformed in the direction of reduction. He did not think the hon. and learned Member for Denbighshire (Mr. Osborne Morgan) had treated him, in fact, with the generosity which he had evinced in words. He had on one or two occasions brought forward proposals in the hope of effecting a settlement of the question, but the hon. and learned Gentleman had used the Forms of the House in order to defeat his object. On the present occasion he was prevented from bringing forward the second reading of the Bill he had referred to by the bringing on of the Resolution of the hon. and learned Gentleman. This was perfectly legitimate, but could hardly be described as generous. While, on the whole, he could not complain of the tone which had characterized the discussions inside the House, he must deprecate the manner in which the subject had been treated outside its walls. In the course of last month the hon. Member for Merthyr Tydvil (Mr. Richard) presided at a meeting held in London for the purpose of considering the question now under discussion, together with other cognate subjects. On that occasion the hon. Member informed his hearers that, while attending to a pressing question like the Burials Bill, they must not forget that their great controversy lay with Church Establishments in any form, and that the axe must be laid to the root of a tree which, like the poison tree of Java, blasted everything it overshadowed. Resolutions were adopted by the meeting in accordance with those views. In the face of statements like that—it was not easy to preserve a perfectly calm tone and attitude. He must congratulate the hon. Baronet who had last spoken (Sir Robert Anstruther) on his recovery from his recent illness, and was glad to find that it had not caused him to lose any of his old fire. He (Mr. Talbot), equally with the hon. Baronet, desired a settlement of the question, but from an entirely different point of view. The hon. Baronet had taken great credit for the peaceful way in which burials had been conducted in Scotland during the last 200 years, but the explanation was simply this—that in Scotland there was no burial service at all.

Sir ROBERT ANSTRUTHER requested permission to make an explanation, as this was a subject on which they felt keenly in Scotland. The fact was, that while there was not usually any service at the grave, it was almost the universal custom to have religious services in the private houses.

MR. J. G. TALBOT said, that was the very point he was desirous of bringing out. The fact was, that the only service performed at the grave was that of the Episcopalian Church of Scotland, which was the same as that of the Church of England. Now, they all knew what that was; but if the principle laid down by the hon. and learned Gentleman were adopted in England, they would have read in English churchyards the services of every religious sect, and possibly of sections of the community who had no religious belief at all. He desired, therefore, to avoid the possibility of scandal and to provide safeguards for the observance of the sanctity of our churchyards. In Ireland, as in Scotland, the religious denominations agreed not to differ at the grave. His Grace the Archbishop of Armagh, in a recent letter, referring to the state of things in Ireland, wrote that it had not been the habit of Roman Catholics and Presbyterians to have any religious services at the graves. His Grace went on to say that the religious services were held at the house of the deceased, but not at the burial-ground; and he added that the Acts of 1824 and 1868 had not been of the slightest use—that, on the contrary, they had stirred up strife, and been the occasion of parochial quarrels. Now, with respect to the case of foreign countries, the instances recited by the correspondents of the Archbishop of Canterbury did not, he thought, advance the case in favour of the Resolution. In France, those who did not belong to a particular community could not be buried in consecrated ground; in Germany, the right of every member of a religious community to be buried in a cemetery existed, but the burial-ground was under the control of a local Board, and Austria was very liberal, because there not only prayers but preaching was allowed; but the Minister of Public Instruction added—"The practical working of this law requires the greatest tact." In conclusion, he would only say that he had, by the proposition he had submitted, not taken up the *non possumus* view of the question. There was a principle in the case, and to that principle they must unflinchingly adhere, and that was that they could not admit into the churchyards of this country the ministrations of a minister who did not belong to the Church of England, because they believed, and justly believed, that if they did, on the same principle they could not refuse him admission to the church itself. He admitted that there might exist a small grievance on the part of a few Nonconformists, and if by facilitating the establishment of public graveyards that grievance could be removed, he would be the first to hail the fact with pleasure. It was no pleasure to him, as a Churchman, to see perpetuated after death the miserable differences which had divided them in life. The Church of England was ready to open her arms wide to every member of the community who was baptized in her faith, and whose relations would bring their remains to the churchyard, but on the conditions now suggested they could not admit alien ministers or alien services.

SIR WILLIAM HARTCOURT said, the question had been so largely and so ably debated that he, for himself, would not attempt to go over the general grounds of the discussion. There was, however, one point requiring notice, and that was, that the hon. Gentleman who had just sat down (Mr. J. G. Talbot), as had also the right hon. Gentleman the Home Secretary, contended that in this case no substantial grievance existed. He desired to meet that contention in a practical manner, because in a practical Assembly like that it was an argument which he believed to be of the greatest weight. The question he wished to discuss was not their ecclesiastical or theological differences, but whether any class of their fellow-subjects felt a just and legitimate grievance. Two days ago he received from a constituent of his own a letter which he would ask leave to read to the House, and he believed they would consider it deserving of their attention. That letter, he thought, in its simple pathos, in the moderation of its tone, and in the amazing self-control which it exhibited, under what appeared to him to be very severe and just provocation, was one which he was sure would secure the attention and sympathy of the House. He had the authority of the gentleman who wrote it to mention his name, if necessary. It ran as follows:—

"Dear Sir,—Will you allow me to make known to you a 'real grievance' in the Burials question? Eight years since I came to Oxford, and from conviction, not by accident of birth, I am a Dissenter and a Baptist. Before I had been resident four months I lost two dear children by death, and, of course, in consequence of their not having been christened, was denied the funeral service. As the law did not allow of my own minister officiating at the grave, I had a service at my own chapel, and then interred them in painful silence at the cemetery. Since then I have lost four others, and have on each occasion pursued the same course; but on the 28th of last month my beloved wife was taken from me. In this case, wishing to have a brick grave, I applied to the vicar, the Rev. T. Chamberlain, for a 'faculty.' While I was with him in his study, he took the opportunity of assailing my religious belief, and thus increased my sorrow with his, to say the least, ill-timed controversy. The fee for a brick grave, I found, would be £9 10*s*., and I also ascertained that £4 of that amount would go into this same vicar's pocket. I declined having it, and spoke to the sexton to prepare a grave as he had done on former occasions, and that I should not require any service whatever. Judge, then, of my surprise when on arriving at the cemetery we were met by the sexton, clerk, and others, with Mr. Chamberlain's curate, who demanded the body to read the Burial Service over it. In vain did I ask him not to do it. I told him we had already held a service in our own chapel, but he said he must read the service, he was carrying out his vicar's instructions, and he must do them. I asked him if he would hinder us going to the grave. He said yes; he must perform the service first. I then submitted under strong protest to what I think you would say is a piece of priestly tyranny. May I beg of you as much in the interest of the Establishment as of Dissenters to do all in your power to carry Mr. Osborne Morgan's Resolution which, I see, is down for the 3rd prox. I have written to you not in the interest of a sect, but in the name of our common humanity. Such seasons of grief should no longer afford an opportunity for religious animosity or even controversy."

He did not know what the feelings of hon. Gentlemen on that or the other side of the House might be in reference to that scandalous story, but all he could say, as a faithful and devoted member of the Church of England, was that he read it with grief, with pain, with shame, and with indignation. What was the meaning, in the presence of such a history as that, of telling the Nonconformists of England that they had not a substantial grievance? Was there any man among them, on whichever side he might sit, who, had he been subject to such treatment as that, would not carry with him an abiding sense of bitter indignation and resentment? He doubted if there were many present who would have the self-control to be able to act so moderately. There were few of them who had not listened to the solemn service of the Church of England with which she buried her dead. That service had often brought not only to those who belonged to her faith, but to those who were without her her pale, a consolation in their hours of sorrow and distress. What, however, was to be thought of those who perverted that service of consolation by forcing it upon unwilling ears, and making it a means of asserting a priestly supremacy under circumstances which converted it into a desecration of religion itself? They had read—he thought all of them—with disgust, the story of those who kidnapped a Jewish boy in order that they might secretly, and against the will of his parents, baptize him. Yet how was that different from insisting on a service over the insensible clay of a man who, if alive, would not desire their service, and in the presence of his relatives pronouncing a solemn service over the dead against their will. But then he was told that was law. If it were law, what a law! How long would they allow such a law to continue? The hon. Member for West Kent (Mr. J. C. Talbot) was surprised at this grievance about silent interment. The Nonconformists desired to have a service in their own chapels, if they were not to be allowed to have a suitable service over the grave, and if the latter were denied them, they did not want to have a service which they did not approve, performed by force over the corpse. When that course was taken against the wishes of the living, he declared that the service which members of the Church of England heard with so much solemn respect, instead of being a religious ceremony, was nothing but a superstitious incantation. Hon. Members opposite called this a sentimental grievance. Yes, it was a sentimental grievance because it appealed to a sentiment that was the dearest, and lay deepest and truest in the nature of man, and it was for this reason that a grievance of the kind was the more real and intolerable. They inflicted, then, by conduct of that kind, under laws which their clergy said they were bound to obey, upon a large portion—he would not discuss how large or what proportion—of the nation, wrongs which they deeply felt, wounds which they deeply resented, and then they said they did it upon principle.

But upon what principle? The hon. Gentleman had referred to the case of Ireland, and the Home Secretary also referred to the case of Ireland; but he ventured to say that the right hon. Gentlemen who sat upon the bench opposite were not in a position to affirm that they opposed the Resolution on principle; and he would tell them why. The Established Church of Ireland while it existed, like the Church of England, was under the operation of the Act of Uniformity. The law was the same in both Churches, and to make any distinction between the two was entirely incorrect. [Mr. ASSHETON CROSS: I said the practice was different.] He was talking about the law. He said that the law of the Church of Ireland was the same as the law of the Church of England. What happened? Lord Plunket, a great man, came forward in 1824, at a time when the spirit of bigotry was rampant, and yet he succeeded almost without opposition in inducing the House of Commons to pass a measure to say that the dead of all persuasions in Ireland should be buried in the churchyards of the national Church, and that they should have, subject to the permission of the incumbent, their own religious rites. That was the principle of Lord Plunket's measure. To talk of practice? He would like to know what there was in England now contrary to the feeling which existed in 1824 between the Catholics and Protestants in Ireland? Yet, with that antagonism which existed at that period between the rival sects, Parliament was capable of taking a wise and statesmanlike view of the question. In 1868, when hon. Gentlemen who sit upon the bench opposite were sitting upon it then, when the right hon. Gentleman who is now at the head of Her Majesty's Government was then Prime Minister, a Bill was introduced by Mr. Monsell, upon the allegation that the veto given to the Irish clergy had been improperly used, to take away that veto. What was the course of the Government in the matter, who now resisted this Resolution on principle? He would read the clause of the Bill—

> "Whenever any person who at the time of his or her death shall not have been a member of or in communion with the United Church of England and Ireland shall be buried as of right."

—the very words of the Resolution—"within the churchyard or graveyard, it shall be lawful for the priest or minister of the religious denomination to which such person belonged to attend such burial, and to read such prayers or perform such burial service at the grave as is usual or customary at the burial of persons belonging to such religious denomination."

And now attend to these words, and they apply to the parson to whom the freehold of the churchyard belonged as well as to anybody else—

> "And any person wilfully obstructing such sermon or burial service shall be deemed guilty of a misdemeanour."

What was the period at which this Bill was introduced? The great question of the Disestablishment of the Irish Church had been raised. It was before the Dissolution. It was after the Resolutions of my right hon. Friend the Member for Greenwich had been proposed, and when it was the interest and business of right hon. Gentlemen opposite to defend every outwork of the Irish Church. What course did they take? Why, Lord Naas, the Irish Secretary of the Government of the day, came forward, and said he was favourable to the principle of the Bill. That Bill was passed through the House of Commons with the assent of the Government, of which the right hon. Gentleman opposite at that time was the head. It might be said, with the frankness of the hon. Member who last spoke—he (Sir William Harcourt) did not know whether he spoke for all —that the party to which he belonged had one policy when they were in a minority and another when they were in a majority; and he hoped the Nonconformists of the country would always remember that declaration. But though they might not have had a majority upon this question in 1868, when they were in power, the Bill went to the House of Lords, where they had an undisputed majority, and they might have put a negative on the principle of the clause which declared it to be a misdemeanour. But what was done? The Primate of Ireland moved that the Bill be referred to a Select Committee; but a Member of the Government, Lord Malmesbury, begged the most rev. Prelate to withdraw his Motion, because it would appear to be intended to shelve the Bill. He was, therefore, entitled to say that the measure was passed with the assent and assistance of right hon. Gentlemen opposite, and how they could say that they were opposed to this Bill on principle he could not understand. They had always contended that the situation and principles of the Irish Church were the same as those of the English Church, and if they thought it consistent with their duty to throw open the churchyards of Ireland, he could not see how they could defend their opposition to this Resolution on the ground of principle. But even if the position of principle was not to be maintained, let him ask what was the policy of hon. and right hon. Gentlemen opposite? He listened to the speech of the Home Secretary, and he confessed, with the exception of some hazy sentences at the end, in which the right hon. Gentleman figured out a universal rate for establishing new churchyards in every country village, whether they were wanted or not, he could discover no policy. It was a very adroit and a very able speech—as the right hon. Gentleman's speeches always were. He criticized verbally, with great acuteness, the Resolution, but hon. Gentlemen greatly mistook the character of the question, if they thought it was going to be settled by verbal criticism. The country outside knew there was a great deal more in it than that. They looked at the substance of the Resolution, and they would consider how either parties in the State dealt with it. One of the criticisms of the Home Secretary appeared to be entirely unfounded. He said that in Parliamentary practice it was not admissible to deal with the matter of the Resolution when it had been dealt with by Bill. His hon. and learned Friend referred to—and he would refer to it again—Catholic Emancipation, when year after year Bills were brought into this House and defeated by all the machinations of Opposition. Then Sir Francis Burdett took the course which his hon. and learned Friend the Member for Denbighshire had taken in the matter. In 1828 he relinquished all notions to bring forward a Bill, and he passed through this House a Resolution in reference to the Catholic claims, which he carried, and it was sent to the House of Lords, and a Conference was afterwards held on the subject. It was a matter of good omen that that took place the very year before Catholic Emancipation was accomplished. The Home Secretary asked what we were going to do 20 years hence, when the graveyards would be fuller than now. He did not feel disposed to enter upon a discussion of that question; he was sure this difficulty would have been settled long before that time. As to the duty of parishes to provide graveyards, it might be an interesting question, but he did not see what it had to do with the matter under discussion. The question for solution now was, what will you do for Nonconformists in the graveyards that exist? It was not a question with reference to graveyards we did not possess, and which might or might not be provided. What was the policy of the Government? Were they going to raise the flag of "No surrender?" If they listened to the hon. Member for West Kent they would do so. He said—"I was willing to be liberal and tolerant and to make terms with Nonconformists when in a minority, but now I am in power I will listen to nothing of the kind." They, however, wanted to know from persons of more authority if that was the policy of the Leaders of the Conservative Party. Did they wish to tell the Nonconformists—"Whatever may have been our language, spirit, policy in those days when we were in Opposition, now we are in power we will give you no terms and no compromise whatever?" They wished to learn whether this was the language and policy of the Conservative Government? He was not alarmed by the language of "No surrender;" he had observed that the language of "No surrender" was always most loudly used on the eve of capitulation. In spite of what had been said by the hon. Member for West Kent, he knew there was sitting upon the Treasury Bench a sagacious and prescient statesman who at that moment was only revolving in his mind schemes of escape from a situation which he knew to be untenable. The right hon. Gentleman had been exposed to singular treatment of late. We had been accustomed to see the right hon. Gentleman educating his Party; but a certain section of his Party, in the course of last week seemed to have undertaken the rather difficult task of educating him. The principal pedagogues on that occasion were the Chairman of Ways and Means (Mr. Raikes) and the right hon. Gentleman the Member for the City of London (Mr. J. G. Hubbard); they went to lecture him upon this question, and to tell him what he must do. He doubted whether that was a game in which they would succeed. They might have a very docile pupil for the moment; but in the long run, it would be they who would have to learn the last lesson upon this subject. The education of such distinguished scholars was difficult, and lessons were long and tedious in an education of this character. We had seen before, and we might see again instances of instantaneous and miraculous conversion. But, whether the process was long or short, for his part he believed the result was certain. This question would run the same course many questions had run before. We had heard exactly the same language on the subject of Catholic Emancipation, the Jew Bill, and the Corporation and the Test Act that we had now heard from the hon. Member for West Kent. It was now said we should have a Jewish funeral service in a parish churchyard; and it was formerly said we should have a Jew in Parliament. Well, we had got a Jew, and Parliament was the better for it. We had exactly the same language on the subject of Church rates. It was said—and the people almost persuaded themselves of the truth of what they said—that if Church rates were abolished the Church would be ruined; but it had not been, and all prophecies of that kind had been falsified by the result; and the hon. Member for Newcastle-under-Lyme, (Mr. Allen) speaking as a Wesleyan Methodist, had said to-night that in his opinion the Church was stronger now than at any former period. Was the Church unanimous in its opposition to this proposal? Who was meant by the Church? If the clergy, he demurred altogether to the language used. He knew there were pretentious priests who arrogated to themselves to speak in the name of the Church; but the clergy were a section, and not the most important section, of the Church. The voice the House of Commons would look to was the voice of that congregation of which the clergy were only the ministers; and were the laity of the Church unanimous on this point? They were not. Even the clergy—though he would admit the great majority were one way—were divided, and had expressed different views at their meetings and in Convocation itself; and there were great and venerable leaders in the Church who took that view of this subject which the House was invited to take by the Resolution. As to the argument that the proposal was a sidewind, an indirect attack upon Establishment and the connection of the Church with the State, if he thought it would have that result he would not support it. The most Disestablishmentarian argument he had heard for a long time was one used by the Home Secretary, when he thought it worth his while to quote the practice of the Society of Friends as a rule for the National Church of England. If that argument was good for anything, it would dethrone the National Church from its condition as an Establishment, and reduce it to a sect. Was it really believed that all who were going to support the Resolution desired the disestablishment of the Church of England? If those who were going into the Lobby from that side of the House in support of the Resolution were enemies of the Establishment, it was an ominous sign for the Church of England; but they knew it was nothing of the kind. It was true that there were persons outside the House and inside who supported the proposal who were adverse to the Establishment. That, however, had been proved of every one of the great measures they had passed—Catholic Emancipation, the Corporation and Test Acts, the Jew Bill, the Church rate question. But those measures were carried because they were supported by a great portion of the enlightened part of the community, both in this House and out of it, who were not adverse to the Establishment or the connection between Church and State. He knew and regretted that there were many Nonconformists who were hostile to the Establishment; but he knew also that there was a great body of Protestant Dissenters who, if they would only allow them, were ready to defend it. They had heard those sentiments most adequately expressed by the hon. Member for Newcastle-under-Lyme. He believed that if the Church was true to herself, true to the principles of the Reformation, she had many friends, outside as well as inside her pale, who would not desire to see her light extinguished. He agreed with his hon. and learned Friend the Member for the Denbighshire, that the people who would most regret the defeat of the Resolution would not be the enemies of the Church of England. It was those who wished well to her who most desired to see a settlement of this question. It was that sentiment which inspired that minority of the clergy to whom he had referred. It was that sentiment which actuated many who, like himself, desired to deliver the Church from a danger which they believed was menacing her. In 1873, in opposing this measure, the right hon. Gentleman the First Minister of the Crown used this language—

> "What I want to see is a cessation of this war between the Nonconformist Body and the Church of England."—[3 *Hansard*, ccxv. 184.]

That was a sentiment worthy of an English statesman. He should like to ask, were they going to permit a cessation of that warfare? Were they going te defer the cessation of it by prolonging this exasperating controversy? He believed what all the friends of the Establishment should most desire was to remove all those just causes of offence, all invidious privileges which were not of the essence of the existence of that Establishment—that they should extend to those outside its pale a policy of charity, of conciliation, and of peace. How could they say that such a policy as that, which they were now insisting upon, was of the essence of charity? In Ireland they did not consider it of the essence of Establishment when that Establishment ceased. In Scotland they did not at that moment consider it of the essence of the Scotch Establishment. What, then, could be more unwise on the part of the friends of the Church than to identify that Church with a policy which enlisted against it the sentiments of humanity and the sympathies of mankind? For his part he would take no share in such a policy. It was as a friend of the Church of England that he declined altogether to link its living fortunes with dead and decaying privileges, for, if the two were inseparable, then it was his firm belief that many a man would be reluctantly driven to the conclusion that the cause of that Church was one which neither could be nor ought to be defended.

Mr. RAIKES said, that as he had been more than once personally referred to, he wished to say a few words in vindication of the course which, in common with many other Members of that House, he had taken, and he hoped to be able to show that there was no reason why he or they should be censured for anything that they had done. He could assure his hon. and learned Friend opposite (Sir William Harcourt) that he took in good part the reference he had made to so humble a Member as himself and the deputation he had accompanied to the Minister of the day. They had not thought it unbecoming to submit to him their aversion for a particular line of policy and invite his serious attention to a question which was exciting a great deal of public interest, and he had yet to learn that there was anything unusual in that course, or that it involved any ground of reproach as if it had been something hitherto unknown in public life. His hon. and learned Friend commenced his speech by an affecting statement, which he (Mr. Raikes) frankly owned had excited his sympathy, as he was sure it had evoked the sympathy of many others on that side of the House. It was, however, one thing to sympathize with a particular case of individual hardship, and another to change a law, and thereby to entail a great deal of injustice on many other persons. His hon. and learned Friend had told them all the more sensational points of that case; but he was too good an advocate to tell them all the House might, perhaps, wish to know. Was there or was there not a public cemetery in the City of Oxford, or its neighbourhood? [An hon. MEMBER: No.] Was the person over whose remains the parochial minister claimed the privilege of performing the last sad office a baptized person or not? They did not know whether she was a member of the Church of England or, at least, a baptized person. [Sir WILLIAM HARCOURT: She was baptized, and I said the law was as the clergyman had interpreted it.] In that case he could not see what there was to complain of, especially when they remembered that the hon. and learned Member for Denbighshire had stigmatized silent burials in terms which he (Mr. Raikes) did not care to repeat. His hon. and learned Friend the Member for Oxford had just said that a different rule was adopted in Ireland and Scotland; but when the case of these countries was compared with that of England a marked difference was observable in the circumstances. The case of Ireland was one where the members of the Church were a small and almost hopeless minority, but in England the Church had a majority of the population, and its influence was daily increasing. With reference to the concession that had been made to Roman Catholics in Protestant churchyards in Ireland, what did Lord Plunket say on the occasion referred to? He said that up to a certain point it was the introduction of a new right and power—it was giving the Catholic the right to be buried in the Protestant churchyard; but the law, in fact, only took away a right which the Protestant clergyman had never exercised. His hon. and learned Friend said that certain Members of the Opposition would support the Resolution from their attachment to the Church; but he must be credulous indeed who, by going into the same Lobby with the hon. and learned Member for Denbighshire, hoped to prolong that institution of which his hon. and learned Friend the Member for Oxford was a devoted and dutiful member. They must look at the source from which the Resolution proceeded. The hon. and learned Member for Denbighshire, although a "constructive" member of the Church of England, had never concealed that he was an advocate for Disestablishment. That hon. and learned Member had on two occasions voted for Disestablishment. But his hon. and learned Friend the Member for Oxford, with engaging confidence in his hon. and learned Friend the Member for Denbighshire, adopted the Resolution: and thus to him—

> "via prima salutis
> Quod minime reris, Graiâ pandetur ab urbe."

He could not help thinking, however, it became those who had real care for the interests of the Church to beware how they trusted in the tender mercies of the hon. and learned Member for Denbighshire. With regard to the law of the case he (Mr. Raikes) adhered to the opinion he had before expressed. With reference to the case of "King *v.* Taylor," he maintained, notwithstanding the argument of the hon. and learned Member for Denbighshire, that there was no such thing as a Common Law right of sepulture, apart from the right of being interred with the Burial Service. The two rights went together. He was not one of those who saw no difference between the position of the church and the churchyard. All that he had intimated with reference to the Resolution was, that if the word "church" were read for "churchyard," and the word "worship" for "burial," it would seem to go far towards laying the ground for Disestablishment. If the Resolution were adopted that night, it would be adopted by those who were friends of Disestablishment. It was not the first time that the principle had been put forward. He found from a resolution passed by some leading members of the Nonconformist Body in 1872, that they claimed equal rights for all citizens in the national or parochial churches and churchyards, and a protest was entered against any exclusive privileges being enjoyed by any part of the community in the burial of the dead. That amounted to the assertion of equal rights and privileges and sacerdotal authority on the part of other denominations and bodies. Even in the present cemeteries the hardship of the Nonconformist would still exist. There was consecrated and unconsecrated ground in those cemeteries, and Nonconformists might still be unable to be buried by the side of those dear to them. They would, therefore, have to make the same battle-ground of the cemeteries which they were now making of the churchyards. He wished to refer to one or two matters in reference to the state of public opinion out-of-doors. They had been told a great deal in reference to the exclusiveness and bigotry of clergymen of the Church of England in not allowing Dissenting ministers to bury in their churchyards. But how was it on the other side. The Secretary of State for the Home Department earlier in the evening had challenged the Nonconformists to set an example of comprehensiveness as far as their own burial-grounds were concerned. The vicar of Heaton, near Bradford, in a letter written in 1873, said he lived in a parish at least two or three miles from any cemetery. He had, unfortunately, no burial-ground attached to his church, but within 200 yards of his church there was a Baptist chapel, with an admirable cemetery attached thereto. He had offered to perform the whole of the funeral services in that cemetery gratuitously, subject to the approval of the Bishop, but his offer had been declined. The Baptists had no resident minister, and a person was paid to bury the dead. All he (the vicar) could do was to read the funeral service in the house of a deceased parishioner, and there his functions ended. He (Mr. Raikes) was not blaming the Baptists for their exclusiveness. But they should remember that charity began at home. They must be prepared to act in a different spirit before they could claim what was asked for them by the hon. and learned Member opposite. Another case brought to his (Mr. Raikes's) knowledge was that of a clergyman who lived in the neighbourhood of a cemetery in Harpurhey, near Manchester, and who wrote that a second part of the cemetery had to be consecrated in order to induce people to go and be buried there. People would not be buried in the unconsecrated portion, so that it did not seem to be so grievous a matter with Dissenters as had been alleged. He had a communication from the interesting town of Bala, in Merionethshire, which was a sort of metropolis of Nonconformity in North Wales. It was there that the principal Dissenting college was which had produced very eminent men. The Calvinistic Methodists, the most numerous and powerful sect in Wales, had there their college, of which Dr. Edwards was the president. The Nonconformists had four graveyards in the parish, whilst the Church had only two. In 1874 there were eight, and in the following year 13, buried in the Dissenting graveyards, whilst in 1875 no fewer than 38 were buried in the churchyards. It had been urged that the parishioners were perhaps attached to the old churchyards; but the fact was that more were buried in the new churchyard than in all the Dissenting graveyards. A tutor of the Calvinistic college, although he was a stranger and a sojourner in Bala, elected to be buried in one of the churchyards, and the president of the Dissenting college also had recently had prepared for himself a vault within the parish churchyard. There had been an inquiry among the clergy and laity, members of the Church in North Wales, as to the view taken with regard to this question in their parishes. He did not propose to quote more than one answer though many of them were worth reading. The Rev. Stephen Gladstone, who was vicar of Hawarden, wrote that he had never heard expressed any wish that Nonconformist ministers should perform service in the churchyards, and that until they applied to be rated in respect of the use of the church he did not think they could consistently claim any right to the fabric or the churchyard. He added that, as a rule, he believed that Dissenters there preferred Church burial, as they universally did Church baptism and Church marriage. Now that was the statement of a gentleman who bore an honoured name, and whose testimony was worthy of attention. He (Mr. Raikes) had never been one of those who said there was no grievance, though he did not think that it was nearly so great as had been supposed, or that it seriously affected the Nonconformist Body. It did affect the Nonconformist ministers, who were jealous of the position of the clergymen. He did not blame them; the feeling was natural to their position. It was not, however, because this feeling existed that they were to change the law. For the last 300 years the same words of consolation and hope had in our churchyards sounded over every grave, and they were now asked, on account of some hardship of Dissenting ministers, to break that continuity of service, to dissipate the peace which had remained unbroken in our churchyards in order to gratify the jealousy of a small, even though it might be considered a respectable minority.

Mr. LEATHAM thought if that was a Dissenter's grievance, the debate ought not to come to an end without one Dissenter being heard on the subject. There were questions the discussion of which was well qualified to throw light upon other and wider questions; and whenever they were beaten upon them in that House, they had a good deal upon which to congratulate themselves. He believed that no politician parted with a good grievance without a pang; and if he wished to take a narrow view of this controversy he should say—"Go on beating us year after year, for the harder you beat us the harder will you beat it into the public mind that there is no real remedy for the group of grievances of which this is one short of Disestablishment itself." The right hon. Gentleman opposite had made several impressive but somewhat irrelevant remarks with reference to the new churchyards. He said that they would be swept away from the church, yet the Resolution only applied to parish churchyards, and not to new ones. He had also challenged Dissenters to admit Churchmen to their burial-grounds; but if they invited a Mussulman to dinner they would hardly offer him salt pork, and the Dissenter would not think of insulting Churchmen by offering them the use of their burial-grounds, for the simple reason that no Churchmen would be buried in unconsecrated ground. It was said it was with an ill-grace that Dissenters made their present demand, considering that when a compromise was tendered to them during the discussions on Church rates, they refused to accept it or to pay for the maintenance of the churchyards. But surely when the use of a thing was coupled with conditions which deprived it of its value, what right had they to expect people to pay for it on those terms? Equality of payment presupposed equality of use, and he denied that Churchmen and Dissenters now used the churchyards on equal conditions. Everything was done that was congenial to the Churchman, whereas, when the Dissenter went there for interment, he was only buried to be put out of sight. Give the Dissenters equality of burial and enable them to bury their dead in the parish churchyard without contumely. But as long as they were only permitted to bury on sufferance, and their dead were taken from them at the churchyard gate, they resented the act as an indignity, and altogether declined to pay for it as a boon. The clergy especially ought to petition for the change now proposed, because many of them highly prized the Athanasian Creed and read its damnatory clauses with emphasis and vigour on Sunday. On Monday they might be called upon to bury a Dissenter who was the unfortunate object of the maledictions, and to declare that they committed him to the grave in the sure and certain hope of a joyful resurrection. If it was true that in two thirds of the parishes of the United Kingdom there was no graveyard excepting the parish churchyard, and if people could not bury their dead there excepting under the services of the Church of England, it was impossible to deny that there was a grievance. He put it to the right feeling of the House whether at the close of a long life, or it might be of a long and painful illness, during which the deceased person had enjoyed the benefit of the ministrations of a particular minister, it was right that that minister should be wholly debarred from taking any part whatever in the last sad office—that another minister, a stranger, should step in and take his place, and that the deceased person should have to be buried in the parish churchyard amid surroundings against which he had all his lifetime protested.

MR. PELL said, he agreed with that portion of the Resolution of the hon. and learned Member for Denbighshire which referred to decency and order. It would be very unwise to leave this question in its present state. It might not suit many, both Churchmen and Nonconformists, that we should first make provision for the decent interment of the dead before settling services; but the answer to that was to be found in the condition of our churchyards, and Parliament might be doing a great service, in a sanitary point of view, by removing evils — such, for instance, as preventing burials in churchyards where one body had to be dug up to make room for another. Any local burden rendered necessary for remedying such an evil would not be so objectionable as church rates. It would be unwise to allow the question to be annually raked up in every village in the country of establishing Burial Boards. Nor was there any reason for it, because the evil was as easily to be got over as any question with regard to drains and sewers. An overcrowded churchyard was a nuisance to the village where it existed, and unfortunately they were too general; but the difficulty might be got rid of by assigning the question to the Sanitary Authority, with power to levy a rate for the purpose of providing suitable places of interment. As to the vote he should give on this occasion, he could not forget that five years ago the hon. and learned Mover of this Resolution voted in favour of another Motion which declared that it was expedient at the earliest practicable period to apply the policy pursued towards the Irish Church in 1869 to the other Churches established by law in the United Kingdom. The hon. and learned Member said he was a Churchman. He (Mr. Pell) was also a strong Churchman, and he hoped not a bigoted one; and just as the hon. and learned Gentleman felt it to be his duty, doubtless in the interests of the Church, to vote for the disestablishing Motion on a former occasion, so he (Mr. Pell) must be allowed in the interests of the Church to vote against the present Resolution, which he believed to be an insidious one, and one fraught with danger to the Church; and whatever they did hereafter—and he hoped something would be done with regard to this question—the Party with whom he acted would vote on this occasion in a way that would be perfectly well understood.

MR. WATKIN WILLIAMS said, he felt that it was a bold thing on his part to rise at so late a period in the debate, when the House was impatient to proceed to a division. But hon. Members need not be alarmed at the formidable bundle of notes with which he appeared to be armed, for he assured them if they would indulge him for a few minutes he would not at that late hour inflict upon them the speech which he admitted he had prepared for that evening. The Burials question which had been before the House and the country in various forms ever since the year 1857, had now assumed the shape of a clear, simple, and intelligible issue—namely, whether the inhabitants of a parish ought or ought not to possess the right of burying their dead in the parish churchyard, according to those rites and ceremonies which were dearest and most acceptable to them upon so solemn an occasion. That was the issue they had before them; and to that issue he not only gave an unhesitating answer in the affirmative, but he believed that upon a just review of the legal and historical aspect of the question, and having regard to those principles of religious liberty for which they had fought successfully ever since the Great Reformation, it could be shown that the Nonconformist parishioners in making their present demand were only asking to be restored to those ancient rights which they were in strictness entitled to according to the Common Law. In approaching the subject he had endeavoured, as the right hon. Gentleman the Secretary of State for the Home Department (Mr. Cross) had entreated them to do, to place himself in the position of those who were opposed to his views, so that he might be able to appreciate and fairly grapple with their true objections, and also avoid as far as possible saying anything that might cause pain, or even annoyance, to those who looked at the matter from an opposite point of view; and he felt the less difficulty in doing that, because being himself a Churchman, his sympathies with the claims of the Nonconformists in this matter were not founded upon any agreement with their religious opinions, but upon a conviction that they suffered grievous injustice and oppression in being deprived of their common rights as fellow-citizens and fellow-countrymen. There was a time, and that not a very distant one, when this irritating grievance admitted of a fair compromise, and when, by a timely and generous concession, the Church might have strengthened her position in the hearts of the people, by proving that she was capable of regarding conscientious changes and differences of opinion as to the mode of performing the rites of burial with an enlarged and liberal spirit; but she let the golden opportunity pass, and the clergy, unfortunately too true to the worst traditions of the Church, would learn nothing, forget nothing, and give way in nothing. The opportunity was passed, never to return. The Church party took their stand boldly and firmly, and declared that they would not concede an inch. They denied the very existence of the grievance; or they said that it had been grossly exaggerated, and that the proposed remedy would substitute other grievances and evils far greater than those which it was intended to remove. The right hon. Gentleman the Home Secretary had disputed that portion of the Resolution which asserted the Common Law right of every parishioner to be buried in the churchyard, and the hon. Gentleman the Chairman of the Committee of Ways and Means (Mr. Raikes) had asserted that there was no right of sepulture separate from a burial according to the rites and ceremonies of the Church of England. To that proposition he begged to give the most unqualified contradiction. How did the matter stand? The origin of the dedication of the churchyards to the use of the parishioners, whether it was by private grant or through public contributions, was wholly lost in antiquity; but this they did know, that at the time they were so dedicated the whole people professed one common and uniform faith; and that, the Roman Catholic Faith. Since that time they had changed their faith, and also their habits and customs and religious practices in many essential particulars, which had been recognized and sanctioned by our laws in spite of the most strenuous and persistent opposition from the clerical party. Now the parish churchyards were vested in the parson for the use of the parishioners for the burial of their dead; but the Church of England had not kept pace with the advancing and varying opinions of the people, and now claimed the right to force its Ritual on all alike, as a condition of their using the common burial-ground of the parish. Long practice and some legal decisions had undoubtedly confirmed this claim. But he believed that it was originally without foundation, and that the Common Law right to burial was not subject to any condition. He would ask the attention of the House to the language of a great Churchman and Tory, and one of the profoundest lawyers who had ever sat on the Ecclesiastical Bench of this country. He alluded to Lord Stowell, who, in his famous judgment in the iron coffin case, said—

> "The practice of sepulture has varied with respect to the places where performed. In ancient times caves seem to have been in high request; then gardens or other private demesnes of proprietors, inclosed spaces out of the walls of towns, or by the side of roads; and, finally, in Christian countries, churches and churchyards, where the deceased could receive the pious and charitable wishes of the faithful who resorted thither on the various calls of public worship. The connection (between burial-places and churches), imported from Rome, by Cuthbert, Archbishop of Canterbury, took place about the year 750. In what way the mortal remains are to be conveyed to the grave and there deposited, I do not find any positive rule of law or of religion that prescribes. The authority under which the received practices exist is to be found in our manners rather than in our laws—they have their origin in natural sentiments of public decency or private affection, they are ratified by common usage and consent, and being attached to a subject of the gravest and most impressive nature, remain unaltered by private caprice and fancy amidst all the giddy revolutions that are perpetually varying the modes and fashions that belong to the lighter circumstances of human life."

The learned Spelman also, in his chapter *De sepultura*, in defending the right of free burial in the parish churchyard, said—

> "The grave is the only inheritance that we are certainly born to—the inheritance which our grandmother the Earth hath left to descend in gavelkind among her children; shall one enter and hold another out, or drive him to pay a fine; is our tenure base like copyhold *ad voluntatem domini*, or not rather noble by *francke almoigne* free from all payments and services."

After this, what became of the claim of an immemorial right to force the Ritual of the Church upon a non-conforming parishioner; no doubt, it had now acquired the sanction of law, and it was to alter this grievous innovation in the law, and to restore the parishioners to their ancient rights, that the present appeal was made to that House. Hon. Members had spoken of a compromise and settlement of this question; but of late years the claims of the Church had been put forward more loudly, and her resistance had been more obstinate and determined than ever. What was the cause of this? He was afraid that it was due to the alarming spread of sacerdotal claims and pretensions on the part of the clergy—claims with which the laity of the Church had no sympathy, and which, in fact, they had determined to check. Depend upon it, the more the clergy sought to associate superstitious ideas and practices with the burial of the dead, the louder and louder would be the public demand for the unrestricted opening of the churchyards; for there was an unmistakable and steadily growing feeling that the matter of the burial of the dead should be dealt with as one of civil concern exclusively, and that all burial-places should be placed under the control and management of civil functionaries. Hon. Members had misunderstood the reference to Scotland and Ireland. The experience of those countries had been referred to, to refute the suggestion that the change would lead to irreverence, indecency, or disturbance. The suggestion was as ridiculous as it was insulting, and was without a shadow of foundation. The examples of Russia, Austria, Germany, and other foreign countries, might also be cited in proof of this; and it was melancholy to think that England stood almost alone in this respect, and they had the humiliation of being obliged to confess that it had been left to the ministers of the Established and Reformed Protestant Church of England to set an example to the rest of Europe of bigotry and intolerance—["Oh, oh!"]—yes, he repeated it, of bigotry and intolerance in a matter which touched the heart and conscience of the people to the very quick. He hoped that that night the Representatives of the people in that House assembled, on whichever side they sat, would emancipate themselves from this clerical influence and control, and show to Europe and the World that, in spite of sacerdotal bigotry and intolerance, they would not allow their National Church to be any longer open to the reproach of being so unworthy of the grand and liberal principles of religion which they had inherited from the great Founder of Christianity; and that they should not be compelled to cry, in the words of the learned and generous Spelman—"O! shame on our religion, when heathens and soldiers are more gracious to their dead enemies than Christian ministers to their friends and brethren."

MR. DISRAELI: Mr. Speaker, I cannot help feeling that there has been a good deal of exaggeration as to the importance of the question before the House, interesting though it may be. I am told by hon. Members that the heart of the people is touched upon this question, and I have heard in the course of this debate, that it is a question on which the whole nation is deeply intent. Now, Sir, though I admit that it is an interesting question, it does not appear to me to be one of general, certainly not of universal, interest. We have been told, and told continually, in this debate that it does not concern Ireland. We have also been told, and told continually, that Scotland has nothing to do with it. We are in possession of evidence that two-thirds of the population of England and Wales, amounting to 22,000,000, have now recourse to cemeteries, and therefore the result is that we have to consider the effect of the existing regulation upon one third of the population of England and Wales. I do not mean to say that it is not an important consideration, one which demands serious and grave consideration, but we should have this fact in our minds when reminded so frequently that we are now discussing a question upon which the passion and thought of the whole nation are intent. Let us analyze for a moment the position of these 8,000,000. I have heard it estimated, and it is, I believe, an estimate for which there is fair ground, that of these 8,000,000 of people, 2,000,000 are Nonconformists, considerably, if not adequately, provided with cemeteries of their own. We have, then, to consider the population of 6,000,000 belonging to the Church, among whom are found all the churchyards which we are now discussing. I am not insensible to the associations of a churchyard. I am the Member for Buckinghamshire, which possesses the churchyard the subject of the immortal elegy to which reference has been made. It is impossible without emotion to view the place where "the rude forefathers of the hamlet sleep." But unfortunately the rude forefathers of the hamlet no longer sleep in these tombs. Their slumbers have been disturbed, and since the day of Mr. Gray the condition of our churchyards is very much changed. The population of the country has immensely increased, and the condition of the churchyards of England accurately described by the hon. Member for South Leicestershire (Mr. Pell) as highly unsatisfactory—I would even say, is in a great degree disgraceful. Nor is there any adequate remedy for this great evil. Those persons who have given much attention to the sanitary condition of the country know how inadequate are the means which the Government possess to cope with the evil, and unless it is encountered, how imperfect and unsatisfactory will be all the results expected with regard to the churchyards of the country. The Secretary of State has under his charge the churchyards of England, but he has no machinery whatever to supervise their condition. If that great duty were transferred to the President of the Local Government Board, with an adequate staff under him, which possibly his office could command, very considerable results might no doubt be realized. And I must say that at this time, when we are entering into all these controversies, these conflicting and competitive efforts to enjoy the churchyards of England, it would be much more desirable if we could take measures to make more decorous the homes that await us, so that our posterity might recognize the fulfilment of the duty we owe them. Now, Sir, if this be the state of the country, and I believe—though I touch slightly upon it at this hour—that it may be proved by information in the possession of the Government, I am entirely opposed, on grounds different from those which have prevailed, generally speaking, in the course of this debate, to dealing with the churchyards in any other way than placing them in a condition favourable to public health, and shutting up all those the condition of which is quite hopeless. This is a subject intimately connected with the Resolution of the hon. and learned Gentleman. In what way can we put these churchyards in a proper condition? The hon. Baronet the Member for Fife scorned the idea that where a landlord gave a portion of his territory for the use of his parish and his neighbours, he should be allowed to make any conditions as to the religious tenets of those who may take advantage of his gifts. We know very well that in England the majority of the owners of land are members of the Church of England. Well, we must deal with things as we find them, and if by legislation we attempt to induce the landlords of England to come liberally forward and assist us in making a considerable revolution and change in these churchyards, it is impossible not to feel that if we make it a condition that their use shall not be confined to those of their own religious belief we shall find in many, and probably in the majority of instances, a great want of zeal in their efforts to assist us. Then no doubt we should be forced, for the sake of public health, to close many churchyards among this population of 6,000,000. We may prevent a very expensive outlay in many of our parishes in the way of establishing cemeteries by inducing the landlords to come forward and assist us, but we cannot do this, unless we allow them to confine their munificence to a certain extent to those of their own faith. These may be bigoted and unphilosophical tenets, but everybody must acknowledge that to a certain degree they will prevail, and that there is no hope of bringing forward any great measure to reform these remaining churchyards and to put the cemeteries in a permanent sanitary condition, unless we are assisted by the landlords of the country. Therefore, in that aspect, this is not a sectarian, but a sanitary question. I admit, however, there is another aspect of the question, and to that I will now address myself. It is a sectarian question in one sense, and that is the very fault I find with the conduct of those who bring forward the Motion and support it. This is part of not a secret, but an avowed system, promoted by a well-organized and able party in this Kingdom to terminate the connection between Church and State. I did not mean to say and I do not mean to say, when speaking of that party, that I was speaking of hon. Gentlemen sitting opposite, who honourably and conscientiously agree with those opinions; but I am talking of a very powerful party organized in the country, and represented also in this House, who now for a series of years have not only avowed their intention, but have indicated the means and the measures by which that intention is to be accomplished, and among those means and measures is this very proposition of the hon. and learned Member for Denbighshire. How is it possible for us to shut our eyes to the consequences of our conduct in this matter? How innocent must you think us when you affect surprise because we feel alarmed by a measure which you yourselves describe as so cordial, so friendly, and so innocuous when it was at first devised, and is now ardently and industriously propagated and supported by those who avow that their object is to accomplish a great political end which we believe would be destructive to the best interests of the country. This is the reason we meet your proposal with such decided opposition. You must bear in mind that this is part of a concerted scheme—a scheme of numerous and diversified attacks—a portion of a well-devised and matured strategy, the object of which is to storm the outworks, and so to advance until at last it obtains possession of the citadel. The hon. and learned Member for the City of Oxford stated that three years ago I lamented the bitter controversies that still subsisted between Churchmen and Nonconformists. I lament them now; I always have lamented them, believing as I do that the Church of England is one of the greatest securities for the welfare of the people, even for our liberties, as well as our moral happiness and general welfare. In saying that I desire to do justice to the great deeds of Nonconformists. I know and fully recognize how much in the history of this country we owe to the high moral qualities, the love of liberty, and the bold, heroic conduct of the Nonconformists of England, and therefore I much deplore the alienation between Churchmen and Nonconformists. I cannot see in the real nature of things why that hostility should exist; it exists only because there is a certain portion among the Nonconformists, modern in their thought, modern and novel in their conception of their public duty, who have taken, to my mind, a completely erroneous conception of the Constitution of this country and the possible results which they can obtain, consistently with a due observance of the requirements of that Constitution. We have come to a time when we have heard men speak with contempt of the toleration which was the great achievement of Nonconformists of old days, and who say that nothing will satisfy them but equality. [" Hear, hear!"] Well, but that cheer from the other side proves exactly what I wish to have believed—that those who cheer are in favour of the schemes of the party out-of-doors to which I refer. Equality on this subject is, in fact, inconsistent with the Constitution of this country, and therefore I regret the controversy between Nonconformists and Churchmen. It is because I believe they might live in harmony in the full and equal possession of civil and religious liberty that I regret they are attempting to get what they call religious equality; which is, in fact, destroying the Constitution, right or wrong—whatever may be their opinion of the Constitution, and I do not want to enter into an argument now upon the English Constitution—I say the religious equality they desire is the subversion of the existing settlement of this country. That is the reason why I must give my opposition to the Motion of the hon. and learned Gentleman. It has been brought forward, as I have intimated, on a frail plea, upon a subject which has really little to do with the momentous principles invoked in this debate. I believe if the sanitary condition of this country were what it ought to be there would be no controversy now about churchyards. I trust the time is not far distant when that will be remedied; but when the hon. and learned Gentleman opposite comes forward with a Motion which, if carried, pledges the House to principles subversive of the political as well as the religious settlement of this country—for you cannot accomplish the object you have in view consistently with maintaining the Constitution of this country—I must give, although I regret ever to give a vote which savours at all of religious exclusiveness or bigotry—I must take the question out of the ingenious and eloquent representations and misrepresentations we have listened to, and to a measure which I believe insidious and dangerous I must give my most uncompromising opposition.

THE MARQUESS OF HARTINGTON: I know the House is anxious for a division, and I promise to detain it only for a short time. I do not think it necessary on this occasion to discuss the question of Disestablishment. My hon. and learned Friend the Member for Oxford (Sir William Harcourt) reminded the House that the argument from Disestablishment has been often before employed when some grievance felt by Dissenters has been brought forward. That argument has been often before employed, but happily, it has been disregarded, and I should like to ask whether, in the opinion of the House, the Church is weaker in the estimation of the country than it was before? The right hon. Gentleman, following the example of the Home Secretary, depreciated as much as he could the extent of the grievance. But, I think, both right hon. Gentlemen utterly misunderstood what was the real nature of the grievance of which the Dissenters complain. It does not matter, in my opinion, whether the grievance extends, as was stated by this right hon. Gentleman, to 2,000,000 of our fellow-subjects, or to a much lesser number. The grievance is not felt merely by those who are compelled under the existing law to bury their relations in churchyards with rites which they do not approve—the grievance is felt to be a grievance of the whole Nonconformist Body. The Home Secretary made an ingenious speech; but, to a great extent, he avoided the question, and did not meet the grievance complained of. The right hon. Gentleman who has just sat down, when he moved, three years ago, the rejection of the Bill of the hon. and learned Member for Denbighshire, stated that he could not admit that the Nonconformists had even a minute grievance. The right hon. Gentleman has not repeated that statement this evening, nor did the Home Secretary to-night make it. They have both minimized to the utmost of their ability the number of persons to whom the grievance applies;

but I have not heard either of them deny that a real grievance exists. If they do not deny the existence of the grievance, neither do they admit it, nor hold out the slightest hope that they will either by compromise or any other plan remove that grievance. It is quite clear what the Government are prepared to do. They are prepared to maintain to the fullest extremity—and it is probably necessary for them to do so at the command of their clerical supporters—the vast extent of the privileges of the clergy of the Established Church, however much annoyance and dissatisfaction those privileges may cause to their Nonconformist fellow-countrymen. But they are prepared to treat this question as a sanitary question; and they indulge in what I believe will be a futile hope that by diminishing the number of churchyards in which this grievance will exist, and the number of persons directly affected by the grievance, they will get rid of the agitation which undoubtedly exists. The Home Secretary is prepared for a measure. He bewails the mistake that was made some years ago when the Burials Inspector was attached to the Home Office, and not to the office of the Local Government Board. The right hon. Gentleman is prepared to deal with this question by transferring that Inspector from his own Department to that of his Colleague, and I think he held out some hope that in another Session he would be prepared to deal with the existing state of the law, and would bring forward some measure by which all churchyards which are not in a good sanitary condition should be closed. But that treatment will not allay this agitation. You cannot upon sanitary grounds close all the churchyards in the country; and however active your Burial Inspectors may be, there will remain in many country parishes churchyards which you cannot find a sanitary reason for closing. A good deal has been said about the fast increasing population of the country. But the House must recollect that this question does not apply to populous suburban districts, but exclusively to rural districts; and if I am not very much mistaken, the population of these districts is not increasing, but rather diminishing, as the recent Census has proved. The right hon. Gentleman has told us that he is a Member for Buckinghamshire. I have the honour to represent the Radnor Burghs, a constituency in Wales; and in many districts of Wales, where this grievance is felt to the utmost, I know that many churchyards are very thinly inhabited, because there is only a scattered population, and the right hon. Gentleman will find there no excuse for closing them. How will the sanitary treatment of this question by the Treasury Bench deal with this grievance? You are mistaken if you suppose that you will allay this agitation by reducing the area in which it operates; you are mistaken if you suppose that the Dissenters and the large body of Nonconformists who live in the large towns will abandon the rights of their brethren in the rural districts. As long as there is only one place in which inhabitants of a parish must be buried with rites to which they object in their lifetime, and which their relations and friends do not approve, or else must be buried without any service at all—as long as that grievance exists in a single parish I do not believe that you will allay this agitation. I have no doubt that before very long this question will be settled. I believe that it will be met in one of three ways, it must either be ignored or compromised, or the grievance must be removed. The speeches of many of the clergy and of many of the supporters of the right hon. Gentleman show that they have been seeking earnestly, but hitherto in vain, for some reasonable compromise of this question. The right hon. Gentleman sitting upon the Treasury Bench is disposed to ignore this question, or, at all events, to reduce it to the level of a sanitary measure. I believe that the well-meant efforts of the supporters of the Government who wish for a compromise will not succeed, because those hon. Members have not yet hit upon a practical form of compromise on which they themselves are agreed. I believe that the sense of justice of the people will reject the mode of treatment of this subject proposed by the Government; and I believe the solution of the question, that sooner or later the House will be constrained to adopt, will be that which is proposed by the Resolution of the hon. and learned Gentleman the Member for Denbighshire.

MR. NEVILL said, that as he had on two previous occasions voted for the Bill of the hon. and learned Gentleman, it was his intention to vote for the Resolution.

Question put.

The House *divided*:—Ayes 279; Noes 248: Majority 31.

AYES.

Adderley, rt. hn. Sir C.
Allen, Major
Allsopp, C.
Allsopp, H.
Arkwright, F.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Baring, T. C.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Bateson, Sir T.
Bathurst, A. A.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hn. G. C.
Bentinck, G. W. P.
Beresford, G. de la Poer
Beresford, Colonel M.
Birley, H.
Blackburne, J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel
Bousfield, Major
Bright, R.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Brymer, W. E.
Buckley, Sir E.
Burrell, Sir P.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Cartwright, F.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Chaplin, H.
Chapman, J.
Charley, W. T.
Christie, W. L.
Churchill, Lord R.
Clifton, T. H.
Clive, hon. Col. G. W.
Close, M. C.
Clowes, S. W.
Cobbett, J. M.
Cobbold, T. C.
Cole, Col. hon. H. A.
Coope, O. E.
Corbett, Colonel
Cordes, T.
Cotton, rt. hn. W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Dalkeith, Earl of
Davenport, W. B.
Deakin, J. H.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Dickson, Major A. G.
Digby, hon. Capt. E.
Disraeli, rt. hon. B.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, G. W.
Elphinstone, Sir J. D. H.
Emlyn, Viscount
Eslington, Lord
Estcourt, G. B.
Fellowes, E.
Fielden, J.
Finch, G. H.
Floyer, J.
Folkestone, Viscount
Forester, C. T. W.
Forsyth, W.
Fraser, Sir W. A.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gibson, E.
Gilpin, Sir R. T.
Goddard, A. L.
Goldney, G.
Gooch, Sir D.
Gordon, rt. hon. E. S.
Gordon, W.
Gorst, J. E.
Grantham, W.
Greene, E.
Gregory, G. B.
Guinness, Sir A.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Lord G.
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Hardcastle, E.
Hardy, rt. hon. G.
Hardy, J. S.
Harvey, Sir R. B.
Hay, rt. hon. Sir J. C. D.
Heath, R.
Hermon, E.
Hervey, Lord F.
Heygate, W. U.
Hildyard, T. B. T.
Hill, A. S.
Hinchingbrook, Visct.
Hodgson, W. N.
Hogg, Sir J. M.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Home, Captain
Hood, hon. Captain A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Hubbard, rt. hon. J.
Hunt, rt. hon. G. W.
Jenkinson, Sir G. S.
Jervis, Colonel
Johnson, J. G.
Jolliffe, hon. S.
Jones, J.
Kennaway, Sir J. H.
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leigh, Lt.-Col. E.
Leighton, S.
Lennox, Lord H. G.
Leslie, Sir J.
Lindsay, Col. R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, H. C.
Lopes, Sir M.
Lowther, hon. W.
Lowther, J.
Mac Iver, D.
Majendie, L. A.
Makins, Colonel
Malcolm, J. W.
Manners, rt. hn. Lord J.
March, Earl of
Marten, A. G.
Mellor, T. W.
Merewether, C. G.
Mills, A.
Mills, Sir C. H.
Monckton, F.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Naghten, Lt.-Col.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Noel, rt, hon. G. J.
North, Colonel
Northcote, rt. hon. Sir S. H.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Pateshall, E.
Peek, Sir H. W.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Peploe, Major
Percy, Earl
Phipps, P.
Pim, Captain B.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt.
Powell, W.
Praed, C. T.
Praed, H. B.
Price, Captain
Puleston, J. H.
Raikes, H. C.
Read, C. S.
Rendlesham, Lord
Repton, G. W.
Ridley, M. W.
Ritchie, C. T.
Rodwell, B. B. H.
Round, J.
Russell, Sir C.
Ryder, G. R.
Sackville, S. G. S.
Salt, T.
Sanderson, T. K.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Scourfield, Sir J. H.
Selwin-Ibbetson, Sir H. J.
Shute, General
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, W. H.
Somerset, Lord H. R. C.
Spinks, Mr. Serjeant
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, hon. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Storer, G.
Sykes, C.
Talbot, J. G.
Taylor, rt. hon. Col.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tremayne, J.
Turnor, E.
Twells, P.
Walker, T. E.
Wallace, Sir R.
Walpole, hon. F.
Walpole, rt. hon. S.
Waterhouse, S.
Watney, J.

Wellesley, Captain
Wells, E.
Wethered, T. O.
Wheelhouse, W. S. J.
Williams, Sir F. M.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wolff, Sir H. D.
Woodd, B. T.
Wroughton, P.
Wyndham, hon. P.
Yarmouth, Earl of
Yorke, hon. E.
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

NOES.

Acland, Sir T. D.
Adam, rt. hon. W. P.
Allen, W. S.
Amory, Sir J. H.
Anderson, G.
Anstruther, Sir R.
Antrobus, Sir E.
Ashley, hon. E. M.
Backhouse, E.
Balfour, Sir G.
Barclay, A. C.
Barclay, J. W.
Bass, A.
Baxter, rt. hon. W. E.
Bazley, Sir T.
Beaumont, Major F.
Beaumont, W. B.
Bell, I. L.
Biddulph, M.
Biggar, J. G.
Blake, T.
Blennerhassett, R. P.
Bolckow, H. W. F.
Brady, J.
Brassey, H. A.
Brassey, T.
Briggs, W. E.
Bright, J.
Bright, rt. hon. J.
Bristowe, S. B.
Brogden, A.
Brooks, M.
Brown, J. C.
Browne, G. E.
Bruce, rt. hon. Lord E.
Burt, T.
Butt, I.
Callan, P.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Carington. hn. Col. W.
Cartwright, W. C.
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chaine, J.
Chambers, Sir T.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Clive, G.
Cogan, rt. hn. W. H. F.
Cole, H. T.
Colebrooke, Sir T. E.
Collins, E.
Colman, J. J.
Corry, J. P.
Cotes, C. C.
Cowan, J.
Cowen, J.
Cowper, hon. H. F.
Crawford, J. S.
Cross, J. K.
Crossley, J.
Davies, D.
Davies, R.
Dilke, Sir C. W.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Dodson, rt. hon. J. G.
Douglas, Sir G.
Duff, M. E. G.
Duff, R. W.
Dunbar, J.
Dundas, J. C.
Earp, T.
Edwards, H.
Egerton, hon. Adm. F.
Ellice, E.
Ennis, N.
Evans, T. W.
Ewing, A. O.
Fawcett, H.
Fay, C. J.
Ferguson, R.
Fitzmaurice, Lord E.
Fitzwilliam, hon. C. W. W.
Fletcher, I.
Foljambe, F. J. S.
Forster, Sir C.
Forster, rt. hon. W. E.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goldsmid, J.
Gordon, Sir A. H.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Grieve, J. J.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Hayter, A. D.
Henry, M.
Herbert, H. A.
Hill, T. R.
Hodgson, K. D.
Holland, S.
Holms, J.
Holms, W.
Hopwood, C. H.
Howard, hn. C. W. G.
Hughes, W. B.
Ingram, W. J.
James, Sir H.
James, W. H.
Jenkins, D. J.
Johnstone, Sir H.
Kenealy, Dr.
Kennard, Colonel
Kensington, Lord
Kinnaird, hon. A. F.
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Lambert, N. G.
Laverton, A.
Law, rt. hon. H.
Lawrence, Sir J. C.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lewis, C. E.
Lloyd, M.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lubbock, Sir J.
Lusk, Sir A.
Macdonald, A.
Macduff, Viscount
Macgregor, D.
Mackintosh, C. F.
M‘Arthur, A.
M‘Arthur, W.
M‘Kenna, Sir J. N.
M‘Lagan, P.
M‘Laren, D.
Maitland, J.
Maitland, W. F.
Marjoribanks, Sir D. C.
Massey, rt. hon. W. N.
Maxwell, Sir W. S.
Meldon, C. H.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Montagu, rt. hn. Lord R.
Morley, S.
Mundella, A. J.
Muntz, P. H.
Mure, Colonel
Murphy, N. D.
Nevill, C. W.
Noel, E.
Nolan, Captain
Norwood, C. M.
O'Byrne, W. R.
O'Callaghan, hon. W.
O'Clery, K.
O'Donoghue, The
O'Gorman, P.
O'Keeffe, J.
O'Shaughnessy, R.
O'Sullivan, W. H.
Parnell, C. S.
Pease, J. W.
Peel, A. W.
Peel, rt. hon. Sir R.
Pender, J.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Portman, hn. W. H. B.
Potter, T. B.
Price, W. E.
Ralli, P.
Ramsay, J.
Rashleigh, Sir C.
Rathbone, W.
Redmond, W. A.
Reed, E. J.
Richard, H.
Ripley, H. W.
Robertson, H.
Rothschild, Sir N. M. de
Russell, Lord A.
Rylands, P.
St. Aubyn, Sir J.
Samuda, J. D'A.
Samuelson, B.
Seely, C.
Shaw, W.
Sheil, E.
Sheridan, H. B.
Sherriff, A. C.
Simon, Mr. Serjeant
Smith, E.
Stacpoole, W.
Stansfeld, rt. hon. J.
Stevenson, J. C.
Stewart, M. J.
Stuart, Colonel
Sullivan, A. M.
Swanston, A.
Talbot, C. R. M.
Tavistock, Marquess of
Taylor, D.
Taylor, P. A.
Temple, rt. hon. W. Cowper-
Torrens, W. T. M‘C.
Tracy, hon. C. R. D. Hanbury-
Villiers, rt. hon. C. P.
Vivian, A. P.
Vivian, H. H.
Waddy, S. D.
Walsh, hon. A.
Walter, J.
Waterlow, Sir S. H.
Watkin, Sir E. W.
Weguelin, T. M.
Whalley, G. H.
Whitbread, S.
Whitworth, B.
Williams, W.
Wilson, C.
Wilson, Sir M.
Yeaman, J.
Young, A. W.

TELLERS.

Martin, P. W.
Morgan, G. O.

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

EXCHEQUER BONDS (£4,080,000) BILL.

[BILL 89.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Treasury may raise £4,080,000 by Exchequer bonds) *agreed to.*

Clause 2 (Interest on bond and repayment of principal).

MR. RYLANDS said, he wished to take that opportunity of asking the hon. Gentleman the Under Secretary of State for Foreign Affairs to give an explanation of the circumstances under which the correspondence between Sir Daniel Lange and Lord Granville had been laid upon the Table of the House. He presumed it had been done by inadvertence; but, in any case, it was a most objectionable and ill-advised proceeding. The letters of Sir Daniel Lange were of a private and confidential character, and were written to subserve English interests; and in consequence of their publication, that gentleman had been deprived of his position as the British representative of the Suez Canal Company. The motives which actuated Sir Daniel Lange were distinctly expressed in one of his letters, where, in speaking of his co-operation with M. de Lesseps, he said—

> "We have worked together to unite the two seas; he for the glory of France, and I for the interest of England."

In 1871, when the Suez Canal Company were in great difficulties for want of sufficient capital, Sir Daniel Lange urged upon M. de Lesseps that he should look to Great Britain for the means of raising additional capital, and with that view, he prepared to concede the entire management of the Canal to English capitalists, retaining, at the same time, his position as President of the Canal in France. Sir Daniel Lange, in his private letter to Lord Granville detailing this interview, stated that—

> "M. de Lesseps recoiled with aversion from this proposition, and declared that he never would be a party to the transfer and management of the Canal to other than French hands, and trusts to the introduction of a few English directors on the French Board, who would share the responsibility and strengthen and uphold its present management in France, which would defeat the object [of English influence] sought to be obtained; at the same time giving an appearance of influence, without its actual possession."

Now he (Mr. Rylands) wished to call particular attention to this passage, because it proved that the right hon. Gentleman the Prime Minister was not justified in supposing that the offer made by M. de Lesseps, to place three English directors upon the Board, was dictated by any desire to promote English influence, but on the contrary, as he himself said in 1871, it was "to give an appearance of influence, without its actual possession." And it was an account of the communication to Lord Granville of this important conversation between himself and M. de Lesseps, that Sir Daniel Lange had been summarily dismissed from his post: he had been sacrificed simply in consequence of his devotion to British interests, and of the indiscretion of the Foreign Office in publishing his confidential letters. But if that were so, what course did the Government intend taking in the matter? The right hon. Gentleman opposite (Mr. Disraeli) claimed that the purchase of these shares would give England great influence in the management of the Canal; but would it enable the Government to insist upon the reinstalment of Sir Daniel Lange in his office? That was a fair test of the influence which the transaction carried with it; but, in any case, it was a remarkable fact, that immediately after our having paid these £4,000,000, a gentleman, devoted to English interests, was summarily dismissed from his office by the President of the Canal Company, simply because he had sought to promote those interests. Before sitting down, there was another point to which he (Mr. Rylands) wished to call the attention of the right hon. Gentleman the Chancellor of the Exchequer. In Lord Derby's despatch of December 6th, he instructed Major General Stanton to remind the Khedive, in courteous terms, that the 5 per cent interest on the purchase money of the Suez Canal shares, as provided in the contract signed on the 25th November, formed a "primary charge" on the revenues of Egypt; and in his reply, General Stanton said that he had reminded His Highness that the 5 per cent guaranteed interest was a primary charge upon the revenues of Egypt; but, on referring to the contract of the 25th November, the 5 per cent was made simply an ordinary charge on the revenues of Egypt; and he (Mr. Rylands) wished to know on what grounds Lord Derby had assumed that it was a primary charge upon the Egyptian revenues?

THE CHANCELLOR OF THE EXCHEQUER repeated the explanation which he stated he had already given with reference to the sum of £200,000 forming a primary charge upon the revenues of Egypt. With regard to the correspondence of Sir Daniel Lange, it was not a matter upon which he had any official knowledge.

MR. DISRAELI said, that the Government had received no communication from Sir Daniel Lange, and he therefore did not know what he complained of, as no Member of the Government was in possession of any statement from him. With regard to the correspondence addressed to Lord Granville, it was published by no inadvertence, but according to the recognized rules which regulated the publication of despatches.

MR. GLADSTONE said, that the question as it affected Sir Daniel Lange could not be adequately discussed upon a clause in the Bill before the House, and he would, therefore, postpone what he had to say in the matter. The dismissal of that gentleman was looked upon as a matter of great importance, and he should have something to say about it on a future day. The right hon. Gentleman stated that the letters of Sir Daniel Lange had been published in due course; but as he had been in communication for some 15 years with that gentleman on matters connected with the Suez Canal, he could state that these letters addressed to the Foreign Secretary were marked "private and confidential." Yet it now appeared from the statement of the Prime Minister that it was the regular course to publish such letters without even first communicating with the writer.

MR. DISRAELI said, that they were not sent to the present Government, but were addressed to Lord Granville.

MR. GLADSTONE: Yes, but they were addressed to him as Foreign Secretary. Lord Palmerston used to say that you took over a Government as you did a racehorse, "with all its engagements." He could not but think that these letters must have been published by inadvertence. [MR. DISRAELI: I beg your pardon. It was no inadvertence.] If so, it could not be too widely trumpeted forth that when a person unconnected with the Foreign Office, and not under its superintendence or control, wrote to the Foreign Secretary he must expect to see his letters printed and laid before Parliament without communication with him and although his letters might be marked "private and confidential." This must be matter for further consideration, because the dismissal of Sir Daniel Lange bore upon the question of the great interest and influence we were said to have acquired by the purchase of the Canal. He did not approve the manner in which the money was proposed to be raised under the Bill, because it involved the principle of a Sinking Fund without previous appropriation, which had been so often tried and failed. That point, however, was raised last year, and as the Chancellor of the Exchequer had carried his measure, there was no great public object to be served by discussing the same question substantially on the present occasion. Would it not be well to state in the Act that the power of borrowing was not to be exercised in the open market? He presumed it was intended by the Chancellor of the Exchequer that this should be a domestic transaction between the National Debt Office and the Exchequer, and it might be an advantage to embody that in the Bill. He understood the Chancellor of the Exchequer to state that he was about to keep this matter out of the annual accounts, but he saw nothing in the Bill to that effect, and he trusted that his right hon. Friend had altered his mind. It was essential that the entire expenditure of the country should be brought within the purview of Parliament, and he trusted that the £200,000 would distinctly appear in the annual account.

THE CHANCELLOR OF THE EXCHEQUER said, that when he spoke of keeping outside the finances of the year he used a misleading phrase, and did not propose to raise £4,000,000 by a charge upon taxation within the year, or to create stock, but he considered the payments would be such as virtually to provide the sums required. In point of fact, as the Bill was drawn, the matter would come regularly on the accounts of the year; and when he produced the other Bill of which he spoke it would be seen that it prescribed a form for a Return to be laid before Parliament which would show the nature of the transaction and the amount paid off from year to year. It might happen that in some years the £200,000 would not be forthcoming, and in that case it would be a charge upon the revenues of the year, and the £200,000 to be received from Egypt would be carried to miscellaneous revenue. It was certainly intended that these should be domestic transactions. At present the National Debt Commissioners were in funds, as money they had advanced for the purpose of the Irish Church was being returned and was seeking investment, and it would be convenient to make use of this money. Although strictly bonds would not be obtainable to be negotiated, and it was intended the National Debt Commissioners should hold them, it would not be convenient so to tie them up as to render their negotiation absolutely impossible. The proposal was that sums making up the £4,000,000 should be received from the Commissioners at such times as it would be convenient to them to pay them, and the payment would be made on three instalments, two of £1,500,000, and the last of £1,000,000.

Clause *agreed to.*

Clause 3 (Duration of bonds and application of 29 & 30 Vict. c. 25, to bonds) *agreed to.*

Clause 4 (Payment of money raised to Consolidated Fund).

In reply to Mr. GOSCHEN,

THE CHANCELLOR OF THE EXCHEQUER said, it was calculated the bonds would be redeemed in about 35 years, and it was proposed that a certain sum should be redeemed every year.

MR. GOSCHEN said, that a statement ought to be produced showing the intended operation of the scheme.

THE CHANCELLOR OF THE EXCHEQUER said, he would promise that the scheme should be laid before Parliament.

Clause *agreed to.*

DEPRECIATION OF SILVER.

Select Committee *appointed,* "to consider and report upon the causes of the depreciation of the price of silver, and the effects of such depreciation upon the exchange between India and England."—(*Lord George Hamilton.*)

And, on March 9, Committee *nominated* as follows: — Mr. BAXTER, Mr. CHRISTOPHER BECKETT DENISON, Mr. GOSCHEN, Mr. KIRKMAN HODGSON, Mr. HUBBARD, Lord GEORGE HAMILTON, Mr. MASSEY, Mr. MULHOLLAND, Mr. FAWCETT, Mr. CAVE, Mr. SHAW, Mr. HERMON, and Sir CHARLES MILLS:—Power to send for persons, papers, and records; Three to be the quorum.

PETITION OF MR. CHARLES HENWOOD.

RESOLUTION.

Motion made, and Question proposed,

"That the Petition of Mr. Charles Henwood, presented upon the 16th day of February last,* be printed and distributed with the Votes."—(*Colonel Beresford.*)

[* Henwood, Charles, — Petition of Charles Henwood, for inquiry into his case to lie upon the Table.]

MR. HUNT opposed the Motion. The Committee on Petitions had refused to print it in the usual way, and it was a question whether the usual Order for the Petition to lie on the Table should not be discharged. He would move to that effect, inasmuch as it contained a gross libel on an hon. Member of that House, and an official who occupied a high position in the Admiralty. Beyond that, the Petitioner had raised a suit in the Courts, which he had withdrawn from, and now sought to make the House give currency to those libels.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Order that the Petition of Mr. Charles Henwood do lie upon the Table be read, and discharged,"—(*Mr. Hunt,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GOLDSMID thought that the hon. and gallant Member for Southwark (Colonel Beresford) ought to apologize to the House and to the hon. Member referred to (Mr. E. J. Reed) for having presented a Petition, which the First Lord had thought it his duty to characterize as "libellous."

MR. E. J. REED said, the allegations against himself and Sir Spencer Robinson were of such an unfounded character that if he had thought them worth notice, he would not have waited for the matter being brought before the House in that shape.

COLONEL BERESFORD declined to accede to the proposal of the hon. Member for Rochester. He asked for simple justice, and if the House declined to accept his Motion, other means would be taken to secure publicity.

Captain PIM hoped the House would agree to the reception of the Petition. He would read the Petition, when—

Mr. ANDERSON rose to Order. He understood that it was the usual course to make a Motion that a Petition should be read. That had not been done, and therefore he hoped the hon. and gallant Member would not be allowed to proceed.

Mr. SPEAKER said, the Petition had been referred in the ordinary way to the Committee on Petitions, and that Committee had not thought fit to order it to be printed. The hon. and gallant Member was not out of Order.

Captain PIM was proceeding to read the Petition, when——

Notice taken, that Strangers were present:—

Whereupon, Mr. Speaker read the Resolution on the subject which was adopted by the House last Session, and stated that unless otherwise directed by the House he should abide by that Resolution. He accordingly, without further debate, put the Question, "That Strangers be ordered to withdraw."

The House *divided*:—Ayes 6; Noes 16.

Forty Members not being present—

House was adjourned at a quarter before Two o'clock, till Monday next.

* * *

HOUSE OF LORDS,

Monday, 6*th March*, 1876.

MINUTES.]—Public Bills—*First Reading*—Exchequer Bonds (£4,080,000); Consolidated Fund (£4,080,000).

FIRMAN ON REFORMS—THE SUBLIME PORTE—THE ANDRASSY NOTE.

ADDRESS FOR PAPERS.

Lord CAMPBELL rose to move an Address for copies of the Firman on Reforms which had lately come from the Sublime Porte, and of the Austrian Note by which it had been followed. The noble Lord said, that a paragraph in the Speech from the Throne on the opening of Parliament gave more importance to the disturbances in the Herzegovina than language coming from any other quarter could impart to them. Having recently had a personal opportunity of ascertaining the opinions of persons at Constantinople qualified to judge, he found it to be the opinion of many that the Austrian Note was not adapted so much to promote tranquillity as to encourage the insurgents. That, he thought, was erroneous; but however that might be, he knew from personal knowledge that much uneasiness existed in the Danubian Principalities. If the ideas he had found to prevail at Bucharest were correct, it was now too late to do anything to calm the existing insurrection; but he thought the circumstances were calculated to call for the utmost vigilance. It was not his intention to enter into the merits or demerits of what Her Majesty's Government did during the autumn; but it appeared to him desirable that their Lordships should have before them the Papers for which he moved in order that they might see how far the Firman on Reforms fell short or exceeded what was promised by the Sultan. The origin of the insurrection was clear to all who had studied the Eastern Question. In October, 1874, the three great military Powers, whose union, however lawful or excusable, was always disastrous in its consequences to the sovereignty of the Porte, assumed an attitude hostile to that sovereignty in respect of its European Provinces. It was so regarded by the Porte; it was so regarded by our Foreign Office. Evidently it was one which would inevitably excite the races whose allegiance was always more or less disturbed, and it was quite evident at the time the debate took place last Session, that an insurrection was pending. It was not to be supposed that we could influence the foreign policy of Russia, nor were we in a position either to influence the foreign policy of Austria. One course, however, remained to us—namely, to bring the influence of Berlin, if we could, to bear upon those Powers; and if that influence were exercised in the manner he suggested, it would check the influences by which the insurrection in the Provinces was supported. He was not surprised that there should be manifested out-of-doors some sympathy with the insurgents; but he could not see that that sympathy could be justified on the ground by the sympathy felt towards the Greeks or the Poles, or with the Southern States of America. He thought there was no great object to be gained by Europe or by the world at large, by the establishment of a Kingdom of the Herzegovina or a Kingdom of Bosnia. Then as to the interests of the Turkish bondholders, certainly they were not advanced by the continuance of the insurrection. It should be remembered that the insurrection cost the Porte £50,000 a-day. If the insurrection did not exist that sum would be available for the bondholders, and so far the insurgents were the greatest enemies whom the bondholders had. It was also urged as an argument in favour of the insurrection that "the sick man" had reached that point of sickness that his general collapse was certain to occur at no distant day; but we could not point to a single instance in history in which a kingdom, no matter how enfeebled, had collapsed until external force had been brought to bear against it. Then there was now an opinion that the occupation of the Bosphorus by Russia would be harmless; but no one with any knowledge of the subject could be of that opinion. The elements on which the insurrection hung were so complex that we could not disregard it; the financial embarrassments were a source of temptation to those who would destroy the Turkish Empire, and at the same time those difficulties rendered the Government of the Porte less able to apply its attention to resisting attempts on its integrity.

Moved that an humble Address be presented to Her Majesty for, Copies of the firman on reforms which has lately come from the Sublime Porte, and of the Austrian note by which it has been followed.—(*The Lord Campbell.*)

The Earl of MORLEY said, he did not rise to ask any questions which it might be inconvenient for the noble Earl the Foreign Secretary to answer at the present moment; but he thought he might, without seeking to place the noble Earl in any difficulty, ask him for some further explanation as to the policy recently adopted by Her Majesty's Government in reference to Count Andrassy's Note. Hitherto we had had no explicit statement as to the obligations we had assumed. As he understood that policy, Her Majesty's Government gave a general approval to the Note, assented to its truth, and supported the suggestions made in it; but did not bind themselves to carry out any particular line of policy now or in future, and did not preclude themselves from taking any steps which the dignity and the interests of this country might require. The question was not one in respect of which the country would be of opinion that a policy of non-interference would be best; because it could scarcely be held that obligations which we had undertaken with regard to the Christian populations could now be evaded, or that they were not as binding at the present time as they were 20 years ago. It should be remembered that at that time, when we undertook the Crimean War, it was understood that there must be an amelioration of the condition of those populations if our responsibilities were to be satisfied; and, as Mr. Cobden stated in the other House, those were obligations not to be evaded. Yet these promises on the part of the Porte had been notoriously unperformed. The Note of Count Andrassy was, in fact, an indictment against the Porte for not having fulfilled its obligations. In his Note Count Andrassy referred to the Hatti-Humayoun of 1856 and to the Iradé of October last, and recapitulated the articles in those documents to show that they had been palpably evaded. The Hatti-Hamayoun purported to deal in a satisfactory manner with the tithe question, but that question was open, and was a principal cause of irritation up to the present moment. The question whether the promises contained in the reply of the Porte to Count Andrassy's Note were to be trusted might not be very material for third parties to consider; but it was one in which the populations now in insurrection were deeply concerned, because they were called upon to put down their arms on the faith of those promises. He wished to ask the noble Earl (the Earl of Derby), whether he had any objection to produce the answer made by the British Government to the communication accompanying that Note, the communication made by the British Government to the Porte in support of the Note, and the answer of the Porte to that communication?

THE EARL OF DERBY: I do not think that my noble Friend who began this conversation (Lord Campbell) or your Lordships will expect me to follow him through those very interesting, but, if I may say so without discourtesy, rather discursive, remarks which he has addressed to your Lordships upon the subject of the present position and possible future prospects of the Turkish Empire. My noble Friend has given great care and attention to this subject. He has studied it at Constantinople and in other European capitals; and he has very naturally and properly availed himself of this opportunity to give us the advantage of the information which he has obtained and the impressions which have been made upon his mind. But, my Lords, although it is proper and right for my noble Friend to speculate on the acts of foreign States in regard to those questions now pending, I cannot, without impropriety and without injury to the public service, display the same unreserve. I quite agree with some of the propositions which my noble Friend laid down. Nothing could be more natural than that those who are threatened with the loss of their money should show themselves angry, and should seek to revenge themselves by favouring the cause of the insurgents. But that certainly is not a course likely to improve their interests. It would be very like what is vulgarly described as cutting off your nose to be revenged on your face. I also agree with my noble Friend that, badly administered as the Turkish Empire was and still is, it has nevertheless very great resources remaining. I think it would in the event of a life and death struggle put forth a degree of strength, under the influence of religious fanaticism and patriotic sentiment, greater than most people give it credit for. But I do not think it necessary to use any argument to convince your Lordships that it is not our interest or the interest of the world in general that all Eastern Europe and those Provinces inhabited by a mixed population of Mahomedans and Christians should be put into a state of disturbance and anarchy which would probably end in a widespread war of religion and of race, and in which all these acts of cruelty would be perpetrated which fear and fanaticism tend to produce. It is clearly not desirable that this question should be settled in that manner. Therefore, I do not think that many people will differ from what was said by the noble Earl who spoke last (the Earl of Morley) to the effect that the position in which we find ourselves, and considering our past connection with this question, a policy of absolute non-interference was impossible. The noble Earl wishes to know what our obligations are under the recent correspondence with respect to Count Andrassy's Note. The noble Earl said that we have given a general support to the Andrassy Note. That we did so, and, with some reservations, urged the acceptance of that Note on the Porte, is quite true; but I think that the noble Earl carried his argument a little further than he ought, when he said that because we had done that we had made ourselves responsible for every statement in that Note. That is not the case. We had nothing to do with the framing of that Note. We only saw it after it was framed, and when the question was practically this — What course ought we to take in regard to it? Whatever course we might take it was certain that the Note would be sent to the Porte and would be supported by the three great Powers. The question was, should the Porte be advised to accept or to reject it? As between the two alternatives we had no hesitation in saying that it was the interest and duty of the Porte to accept it. That advice we accordingly gave; but beyond that we have given no pledge; and apart from Treaty obligations of old standing, which are not affected by anything recently said or done, we are as absolutely free to act in such a manner as our duty and the circumstances of the case may require as we were before we gave that advice. The noble Earl (the Earl of Morley) has reminded us of the obligations which we, in common with former Governments, are considered to owe to the Christian populations of the Turkish Provinces. I have no doubt that when 20 years ago we guaranteed the independence and integrity of the Turkish Empire, we acquired the right in the case of extreme misgovernment to remonstrate on behalf of oppressed populations. I think it does not require much argument to prove that. All protection involves a certain right of control. But, my Lords, there is extreme delicacy and difficulty in endeavouring to lay down the precise line of demarcation between what may be regarded as a proper and reasonable interference and what may, however, well merit here the appearance of an attempt to over-ride the independence of Turkey, which it was the very object of the war to maintain. I have always held that it is our right and duty to watch over the interest of the various populations of the Turkish Empire, not as setting class against class, race against race, Christian against Mahomedan, but looking to the interest of all and to those of humanity and justice generally. I am sure your Lordships have no wish that I should go more into detail in the absence of the Papers which have been asked for, and which are in preparation. I hope that before long it will be in my power to lay them on the Table of the House. The present state of the case is this:—The Porte, as we all know, has accepted the Note of Count Andrassy with some reservations; but which reservations refer to questions of detail, and seem to be not unreasonable. Neither Russia nor Austria—nor any other Power—has attempted to interfere between the Porte and its subjects in the insurgent Provinces, but they have recommended certain reforms which, if adopted, will tend to prevent any further increase of the insurrection, and have given a pledge that they will use such moral influence as they may possess in favour of the restoration of peace, both with the insurgents and the inhabitants of Servia, Montenegro, and the Principalities. It is idle to attempt to predict to what extent it will be successful influence; but, for my own part, I believe they are acting with sincerity and in good faith, and that they are anxiously desirous of preventing the further spread of the insurrection. I have been asked why the Governments have not interfered sooner and more effectually; but it is obvious that where two countries have a long line of frontier running for the most part through a mountainous and difficult country, and where on the Austrian side there is a population which has strong sympathies with the insurgents on the other side, it is not easy even with the best will on the part of the authorities to enforce an entire neutrality. If I wanted an illustration of that I should not have to go very far. I should only have to remind your Lordships of what took place a few years ago during that civil war in Spain which is now happily ended. On the side of the French authorities there was every desire to fulfil the obligations which International Law imposed upon them, but they were entirely unable to prevent a great deal of help being given by Carlist sympathizers on the French side of the Pyrenees to the combatants on the other side of the French frontiers. I do not object to the Motion of my noble Friend (Lord Campbell) with respect to the Papers which he has asked for. But with regard to those asked for by the noble Earl (the Earl of Morley), not being aware that he intended to apply for them, I must, before giving any pledge off-hand, look into them again; though at present I am not aware that there will be anything to prevent our laying them on the Table. I shall be ready at all times to state the course which the Government will be prepared to take; but at present I do not see that there will be any advantage to the country in making further observations on the subject.

Motion *agreed to.*

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, 6th March, 1876.

MINUTES.]—SELECT COMMITTEE—Referees on Private Bills, *nominated;* Oyster Fisheries, *appointed;* Printing, Captain Nolan *added.*

SUPPLY—*considered in Committee*—ARMY ESTIMATES—R.P.

PUBLIC BILLS—*Second Reading*—Telegraphs (Money) [90]; Drugging of Animals [85].

Committee—Offences against the Person* [1]—R.P.

Committee—Report—Council of India (Professional Appointments) * [69].

Third Reading—Exchequer Bonds (£4,080,000) [89]; Consolidated Fund (£4,080,000), and *passed.*

POST OFFICE—TELEGRAPH MESSAGES.—QUESTION.

Mr. MITCHELL HENRY asked the Postmaster General, Whether the public will be allowed to supply themselves with telegraph cards in place of those withdrawn; and, whether, if such cards bear a proper stamp, they will be collected from the pillar post boxes and be sent out as telegraph messages?

Lord JOHN MANNERS, in reply, said, that for the reason which he assigned the other day, the telegraph cards had ceased to exist; but the telegraph message forms, with which the public were supplied, could be deposited in the pillar post boxes, whence they would be collected and despatched. For obvious reasons the latter were much less likely to be mistaken for letters, than were the old telegraph cards to be mistaken for halfpenny cards.

NAVY—COAL.—QUESTION.

Mr. HUSSEY-VIVIAN asked the First Lord of the Admiralty, Whether his attention has been directed to a paragraph in "The Times" of the 29th ultimo, in which it is stated that experiments have been recently made by the Officers of the Steam Reserve at Portsmouth with certain coals from the Monmouthshire collieries, and that they have been classified in a certain order of merit; whether the results therein set forth are correct; whether it is intended to carry through a series of analogous experiments upon the leading coals of the South Wales coal field; and, whether any notice of such intention has been or is to be given to the owners of steam coal collieries in South Wales?

Mr. HUNT, in reply, said, that until his attention was called to the paragraph in *The Times* of the 29th ult. he had not seen it. The Admiralty directed expected experiments to be made by the officers of the Steam Reserve at Portsmouth with certain coals from the Monmouthshire collieries for their own information, and with no intention of its reaching any newspaper, and how it got into that paper he did not know many days before the report reached him. He had no intention of instituting inquiries into the different collieries in Wales, the Admiralty being well aware of their quality. Whether the Report should have been produced by the Admiralty would have been a question for consideration; but as the statement that had been published was correct, it would be useless to withhold it, and if the hon. Member would move for it, it would be laid upon the Table.

MERCHANT SHIPPING ACTS—CASES OF SCURVY.—QUESTION.

Mr. WARD asked the President of the Board of Trade, Whether it is true that within the last week two vessels have arrived, one at Queenstown and the other in London, with an unusual number of bad cases of scurvy on board; and, whether it is the intention of the Board of Trade to institute an inquiry into the causes thereof, and whether the result of these inquiries will be laid before the House?

Sir CHARLES ADDERLEY: I suppose the two cases referred to are the West Ridge, of Liverpool, and the Prince Rupert, of St. John, New Brunswick. In both of these cases there were several pronounced cases of scurvy. Inquiry has already been ordered in each case, to be held by the medical officers of the Board. Reports will be laid on the Table in due course, with other Papers, as I lately promised.

ELEMENTARY EDUCATION ACT—WRENTHAM.—QUESTION.

Mr. COLMAN asked the Vice President of the Council, Whether the Education Department delayed, from the 6th September 1875 to the 21st January 1876, to intimate the condition of their consent, according to section 23 of the Elementary Education Act, 1870, to the transfer of the Wrentham British School (being the only public Elementary School during that period in the district) to the Wrentham School Board, it having been offered to and accepted by the Board; and what was the reason for the delay; whether there is at present any obstacle to the transfer, the School Board having, in a letter of the 1st February, agreed to

> "relinquish the proposed term or condition of the transfer relating to the cost of carrying on the School, from the date at which the parish first asked for the School Board,"

as required by their Lordships on the 21st January 1876; and, whether the

Department, having intimated for the first time on the 21st January, that

> "my Lords have not yet determined whether the teacher of the National School is entitled to a Certificate. Until this point is determined it will be obvious that my Lords cannot decide whether they are justified in consenting to the transfer,"

intend by their reply to make their consent to the transfer of the British School to depend on the position of the National School; and, if so, whether such reply is in accordance with the Minute of the Committee of Council of Education, dated the 17th July 1871?

VISCOUNT SANDON: This is a curious case, but it may not be amiss that the hon. Gentleman should have called attention to it, as it will show how easily, unless great care is taken, a locality may be made under the Act of 1870, to bear a double burden for its schools. The question is worded in such a manner that unless I state shortly the facts of the case a most erroneous impression might be created respecting it. Wrentham is a place which had two voluntary schools—one being National, and one British—with school accommodation considerably in excess of what is required by law; both had certificated teachers till 1875, when the National school engaged an uncertificated teacher, with the expectation of his getting a certificate from Her Majesty's Inspector in January, 1876. Two years ago the managers of the British school informed the Department officially that they intended to close their school, having passed a resolution to that effect. Upon this the Department, following the only possible course (Section 12 [2] of the Education Act, 1870, not applying to this, which was to be a united district), issued the usual printed notice to the locality, stating that a deficiency of school accommodotion for 80 children existed, owing to the proposed closing of the British school, and that unless that accommodation was supplied within six months a school board would be ordered by the Department for the purpose of supplying it. Within the time named the requisite accommodation was supplied by the enlargement of the National public elementary school, and therefore a school board was not ordered, the equipment of the place being complete. Information was received some time after the place was ordered to provide further accommodation that the British school had, after all, not closed its doors as it announced it intended to do. There, therefore, remained two voluntary public elementary schools in the place; one, the enlarged National school, now become sufficient for the whole population, the other, the British school, which was still kept open, and both in receipt of Government annual grants. On the requisition of a meeting of ratepayers, a school board was ordered for Wrentham, it being at the same time intimated by the Department, in an official letter, that the school board, as matters then stood, would be unable to set up a school, though it would be able to pass bye-laws for compulsion, as the Department would not be justified in allowing a loan for a school, or probably also in allowing a Government annual grant to a board school, the place having put itself to the expense of supplying voluntarily the necessary accommodation in accordance with the requisition of the Department. The school board, when elected, requested the Department to agree to a transfer of the British school to the board; and here, in direct reply to a part of the Question, I have to say that the delay complained of arose principally from the National school having lost its certificated teacher and from the impossibility of ascertaining how the school would stand till the new master had been examined at the annual inspection of his school in 1876. If he had failed, it would have been a matter for our consideration whether the National school would not have ceased to supply efficient education. As it is, the master got his certificate in January, so that that part of the question is at an end. The obstacle, to which the Question alludes, now existing to the transfer of the British school to the board is this—The sanction of the Department is required by the statute for every transfer; and the Minute, to which the hon. Gentleman refers, only bears upon the details of a transfer, and not upon the principle of the propriety of the transfer itself, respecting which the Department cannot divest itself of the responsibility under the Act. We consider that it would be most unfair, and a breach of faith with those who have, in compliance with the requisition of the Department, supplied the necessary school accommodation, by sanctioning the transfer of the British school to the board, to throw the burden of the maintenance of that school upon the ratepayers generally, the locality having, at the bidding of the Department, on the announcement that the British school was to be given up, provided voluntarily elsewhere all the school accommodation needed. If we were to consent to such acts of injustice, I feel confident that the feeling of the country would soon turn against the Act of 1870. As it is, both the schools in question rank at present as public elementary schools; there is no deficiency of accommodation in the locality, the Department do not hold themselves justified in assenting to the transfer, but the two voluntary schools at Wrentham will, I trust, go on side by side, as they have done, for a long time past, supported with the aid of Government grants, by those who prefer them, as long as they wish to have them.

ELEMENTARY EDUCATION ACT—POOR LAW RELIEF.—QUESTION.

MR. ALDERMAN W. M'ARTHUR asked the President of the Local Government Board, Whether that Clause of the Elementary Education Amendment Act which provides that in cases where continuing Poor Law relief is given to parents it shall be a condition for the continuance of such relief that their children shall be kept at school, and that for this purpose, when necessary, additional relief shall be given, is intended to apply to cases where relief, owing to purely temporary causes, such as illness, is only given for a week or two, or for other very limited periods?

MR. SCLATER-BOOTH: I cannot say what was the intention of the clause, but my opinion undoubtedly is, that where relief is given by weekly allowances, or for a period exceeding the interval between the meetings of the Guardians, the case comes within the terms of the Act. If the relief is given by the relieving officer on his own discretion in cases of sudden or urgent necessity, the condition does not apply.

THE NATIONAL BANK OF EGYPT. QUESTION.

MR. W. CARTWRIGHT asked the First Lord of the Treasury, Whether there is any foundation in the report that Her Majesty's Government has under consideration the nomination of a Commissioner who is to act on the Board of a Bank which it is sought to create in Egypt with the view of facilitating an advance of money to the Khedive?

MR. DISRAELI: It is true, Sir, that a proposal was made by the Egyptian Government to Her Majesty's Government that we should appoint a Commissioner to act, in the words of the hon. Gentleman's Question, "on the Board of a Bank which it is sought to create in Egypt;" but on inquiry we found that this would involve commercial relations between the contemplated institution and Her Majesty's Government, and of course we declined it. Had there been a proposal that a Commissioner should be appointed to receive certain branches of revenue and apply them to the redemption of debt, that would have been a proposal which might have received our consideration.

THE SCOTCH FISHERIES.—QUESTION.

MR. J. W. BARCLAY asked the First Lord of the Admiralty, If definite instructions are given to the Commanders of the Cruisers on the Coast of Scotland in regard to their duties towards the fishermen; and, if so, if he will lay upon the Table of the House a Copy of the Instructions?

MR. HUNT, in reply, said, that the instructions were sent by the Fishery Board of Scotland, and the question was one rather for the Home Secretary than for himself. He might state, however, on behalf of his right hon. Friend, that there would be no objection to lay a copy of the instructions on the Table of the House, if it were moved for.

SUNDAY DRINKING (IRELAND)—RETURN.—QUESTION.

MR. SULLIVAN (for Mr. MELDON) asked the Chief Secretary for Ireland, Whether he will have any objection to lay upon the Table of the House a Return giving the number of persons who are reported by the police to have entered the publichouses of Dublin, Belfast, Cork, Londonderry, and other places on certain Sundays of the present year, giving at the same time the means adopted, if any, for ensuring that the same persons were not counted as different individuals on entering different publichouses or on re-entering the same house?

Sir MICHAEL HICKS-BEACH, in reply, said, he would be happy to lay before the House all the information on this subject which had been furnished to him by the Constabulary. The Returns might not be precisely accurate, but he believed that, generally speaking, they would be found to be substantially correct.

RETURNS AS TO THE COURT OF SESSION.—QUESTION.

Mr. GRIEVE asked the Lord Advocate, When Returns "Court of Session (Scotland) Litigated Cases," moved for on the 1st day of June 1875, presented on the 11th day of August, and ordered to be printed on the 13th day of August, would be in the hands of Members?

The LORD ADVOCATE, in reply, said, that the delay occurred owing to an inaccuracy in the information received, but that the Returns would shortly be ready.

MERCHANT SHIPPING ACT—UNSEAWORTHY SHIPS—FOREIGN NATIONS.

QUESTION.

Mr. WILSON asked the President of the Board of Trade, Whether any further Communications have been received from Foreign Countries in reply to the Circular Despatch from the Foreign Office, dated the 3rd day of February 1875, on the subject of the Transfer of Unseaworthy ships to Foreign Flags, answers to which Circular were printed in a Return, headed Unseaworthy Ships (Transfer), and dated the 10th day of August 1875?

Sir CHARLES ADDERLEY, in reply, said, further communications had been received from Denmark, Sweden and Norway, Guatemala, Honduras, Salvador, and Nicaragua. Of these, Denmark was legislating to prevent the use of unseaworthy ships, and the Swedish and Norwegian Governments were conferring with Maritime Powers about the transfer of unseaworthy ships to her flag; and the five South American Republics had all instructed their Consular agents to carry out our suggestion, that no transfer should be made without survey. These, together with the more important communications already laid on the Table, were, on the whole, satisfactory.

PARLIAMENT — PETITION OF MR. WILLIAM HENWOOD—EXCLUSION OF STRANGERS.—OBSERVATIONS.

Mr. SPEAKER: I think it right to call the attention of the House to a proceeding which occurred at the last sitting of the House. It will be in the recollection of the House that in the last Session a Resolution was agreed to, after much discussion, by which the ancient practice requiring the exclusion of Strangers on notice being taken of their attendance was suspended. That Resolution has not been renewed during the present Session or made a Standing Order of the House. Early on Saturday morning last an hon. Member took notice that Strangers were present, and it seemed to me that, after the House had deliberately discontinued its former practice, I was bound to consider, until otherwise instructed, that the new practice was henceforth to be observed. The House is aware that many Resolutions concerning matters of practice and order have been observed as binding without being renewed. I accordingly read to the House the Resolution of the 31st of May, 1875, and proceeded to put the Question for the withdrawal of Strangers in the terms of that Resolution. I then stated to the House the circumstances under which I deemed it my duty to give effect to that Resolution, but I think it proper that the House should have an opportunity of more fully declaring its purpose and determining whether the Resolution shall continue to be observed.

Mr. DISRAELI: Mr. Speaker, after what you have said, I think it most convenient to say I will take an early opportunity of consulting the House upon this subject.

EXCHEQUER BONDS (£4,080,000) BILL.

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

[BILL 89.] THIRD READING.

Order for Third Reading read.

The CHANCELLOR of the EXCHEQUER, in moving that the Bill be now read the third time, said, his object in moving the stage so early was to enable the Bill to be sent to the other House to be passed, so as to complete the matter within the prescribed time. He mentioned on Friday last, when the Bill passed through Committee, the dates at which it was proposed that the payments should be made. The first would be on the 10th of this month, and it was necessary, in order to enable the Government to meet that payment, that the Bill should pass before that date. Some misunderstanding appeared to prevail, owing, he thought, to his not giving a proper explanation at the time as to the nature of the arrangement which was contemplated; and he was asked how these Exchequer Bonds were to be issued? It was proposed that Exchequer Bonds for various sums should be issued; that they should fall due at different periods year by year; that they should bear interest at 3½ per cent, and that they should be issued, not to the market generally, but to the National Debt Commissioners, who would have considerable sums of money available in their hands at the present time, in consequence of the repayment of the monies which they were authorized to advance for the purposes of the Irish Church. At the time when the arrangement was originally proposed, in December last, a scheme was proposed, showing how the matter would work, and although it slightly differed from that which the Government now intended, it sufficiently explained the nature of the operation. The proposal was, that a sum of £200,000 a-year should be set aside to redeem the debt of £4,100,000, the sum in round numbers to be paid for the purchase of the Suez Canal shares and the expenses, and it was calculated that the Debt would be extinguished in 37 years by the payment partly of interest and partly of capital. In the first year £200,000 would pay £143,500 of interest on capital and leave £56,500 with which to pay off bonds. In the following year there would be a smaller interest to be paid on capital and a larger amount would be available for the bonds until the 36th year, when £11,000 only would be required for interest and £118,000 for bonds. Since then the Government had determined that it would be better to pay off the bonds half-yearly instead of yearly, and the effect would be somewhat to the advantage of the Treasury; although the change would somewhat disturb the transaction, and make the practical settlement somewhat longer; and he also hoped that it would not be thought necessary to issue £4,080,000 of bonds, but simply £4,000,000, paying £80,000 out of the surplus of the year. In point of fact, according to the Table which he had now in his hand, it was proposed that the payment should be made in March and September, and that the first payment should be made in September next, and the last payment in March, 1912. The matter was one of a purely financial character, and would be best discussed when they came to consider the financial condition of the country. As he had said, it was not intended that these bonds should be put upon the market. They would be held by the National Debt Commissioners, and would bring them 3½ per cent. It would be a good interest to them, and would not be lost to the nation, because they were in fact paying the interest on behalf of the Savings Banks deposits. The arrangement was similar in principle to what had been done in like cases before, with the difference that Exchequer Bonds were to be employed instead of Terminable Annuities. The Exchequer Bonds had two advantages—they distinguished between the amount of principal and the amount of interest, and though these securities were not intended to be negotiated, they could, in the case of any emergency, be negotiated.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Chancellor of the Exchequer.*)

MR. DODSON thought the principle which the right hon. Gentleman proposed to pursue was a right one—namely, that he should only provide for the capital amount, and that the expenses should be paid out of revenue. When, however, the Chancellor of the Exchequer made his first statement it was understood that there was included in this £4,000,000 a further sum which was for payment of expenses, and he (Mr. Dodson) should like to know whether, in accordance with the principle which the Chancellor of the Exchequer was now pursuing, that sum ought to be paid out of revenue and not provided for by way of loan? He had intended to take that opportunity of asking the right hon. Gentleman a question concerning the production of Mr. Cave's Report, or at least the communication to the House of the substance of the information which Mr. Cave had furnished to the Government; but as he understood there would be another Bill in connection with the subject of the Suez Canal shares shortly before the House, and that by that time Mr. Cave would probably have returned to England, he should defer putting any questions. He should like, however, to know when the Bill to which he alluded would be introduced, and when Mr. Cave might be expected home?

Mr. GLADSTONE: Sir, I agree with my right hon. Friend the Member for Chester (Mr. Dodson) that the Chancellor of the Exchequer has made a great improvement in the Bill by his proposal to take the larger part of the commission by way of Vote in a Supplemental Estimate, and not in the form of a loan. There is still, however, a small part of the commission to be borrowed. It is proposed to borrow £20,000 and to vote £80,000, and I hold that the whole commission ought to be voted by the House. I should like to know something about another small sum which was mentioned by my right hon. Friend the Chancellor of the Exchequer when he computed the exact sum payable to the Khedive at £3,976,000, and raised the sum to £3,980,000, for the sake, as he said, of round numbers. It is a small sum, but I think the uniform principle is, that when a large sum is voted by this House, to vote the exact amount under that particular head, and not to vote a lump estimate for any supposed expenses. I do not desire to enter at large, although I should be quite entitled to do so, upon the subject of the Canal; but I wish to refer to one point which was alluded to the other night and to another which has arisen from something that has been said to-night. I will take first the point that has been raised to-night. In answer to the Question of my hon. Friend the Member for Oxfordshire (Mr. Cartwright), it has been stated by the Prime Minister that the Government have refused the proposal of the Pacha of Egypt to appoint a Commissioner to superintend and to participate in the proceedings of a bank which it is proposed to found in Egypt in some kind of connection with the Government. The right hon. Gentleman says that Her Majesty's Government have declined, and I have not the least hesitation in saying the answer of Her Majesty's Government will convey a sense of considerable relief to the public mind. But unfortunately, as has been observed by an ancient poet—

> "Medio de fonte leporum,
> Surgit amari aliquid."

The right hon. Gentleman did not allow us to enjoy the comfort which he administered for any length of time, for he proceeded to sketch out another extreme, which, if it were proposed, Her Majesty's Government would be in a condition to entertain. I hope it will not be thought that I am premature in calling attention to the very slight and at the same time appalling outline of the scheme which it is proposed to substitute for the scheme of the Khedive. I shall be glad if any explanation is given which will remove the difficulties and apprehensions which we may feel in connection with it. Let me say that while I can understand the motives connected with recent transactions which have led Her Majesty's Government to feel that it may be matter of importance, for reasons connected with their own conduct and proceedings, to bolster up Egypt, I think that in the whole of that matter they are treading upon tender ground. This is a question on which the public mind is extremely sensitive, and unless they are very cautious in the proceedings they adopt they may bring serious consequences on Parliament and on themselves. The scheme which the right hon. Gentleman has described as one which might be entertained we know nothing of, except from the language which was used. I understood the right hon. Gentleman to say that he was not disposed to entertain —[Mr. Disraeli: Consider.]—I am glad to be corrected, but we mean the same thing, though I think "consider" goes rather farther than "entertain." Whether it goes farther or not, the proper course is to take the right hon. Gentleman's own word, and not the word which my imperfect recollection substituted for it. He said that the Government would not be indisposed to consider a proposition of the Khedive's, that they should appoint a Commissioner to be the receiver of certain branches of the revenue of Egypt, whose special office would be to apply those branches to the liquidation and payment of the calls arising upon a portion of the Egyptian Debt.

It immediately suggested itself to my mind, What is to be the position of this fortunate or unfortunate Commissioner? I will imagine myself, for the sake of argument, discharging, or attempting to discharge, the duties of the Commissioner: I set out to Alexandria armed, or not armed, as the case may be, with a plentiful following of financial and diplomatic secretaries. When I get to Alexandria I obtain a comfortable lodgment, and wait there to receive certain money which is to be brought to me. I am told that it constitutes the proceeds of the customs of Alexandria. When this money is brought to me my difficulties begin. How am I to know, being Commissioner for Her Majesty's Government, that this money constitutes the proceeds and the whole proceeds of the customs of Alexandria? If I am only to be there to receive what I am told constitutes the proceeds of the customs of Alexandria, then it seems to me that the appointment of this Commissioner may only be what I am sure is not desired by Her Majesty's Government — a mask under which Egypt, or the agents and advisers of the Egyptian Government, may inveigle the British public further with reference to Egyptian finance. Upon that consideration I am completely at the mercy of those who bring me the money—when they please, how they please, and in what quantity they please. I have no means of knowing whether it represents the customs of Alexandria. If the Commissioner is to be really responsible he must have the means of knowing what his revenue is, and that the money brought to him really represents the entire revenue levied under the head on which it has been paid. It is impossible that he can have that knowledge, unless he is naturally entrusted in every material and substantial respect with the levying of that revenue. For my part, I cannot conceive how there can be a fallacy in that method of looking at the case. If the Egyptian Government were to send a Commissioner to England, and that gentleman were to receive the customs at the port of London and apply them to a specific purpose, he would have no difficulty in ascertaining the amount from our system of accounts; but I do not at all feel the same assurance with regard to Alexandria. I should, therefore, wish to know whether, if the proposition for the appointment of such a Commissioner be entertained, the right hon. Gentleman means the appointment of a Commissioner who would really have such an effective control over all arrangements and the mode of accounting for these revenues that he could guarantee to us the receipt of the whole, that it might be applied to the purpose in view? If this is what it does mean, it appears to me that we are only shifting the difficulty one step further; because in that case our Commissioner is to take into his hands the administration of a very important portion of the government of Egypt; so that the measures which we may think necessary as a matter of prudence to cover the proposal which we are to consider may entail upon us still greater difficulties and mix us up still further with a heavier responsibility for a portion of the internal government of Egypt. When we have begun with one portion of the internal government of Egypt we may pass on to another. We may come to occupy the entire ground by series of degrees not difficult to contemplate, and possibly this may have been in the mind of the right hon. Gentleman the other night, when he said that while the people of this country would view the diminution of the Empire with horror, they would see it increased without dissatisfaction. I now wish to refer to the dismissal of Sir Daniel Lange. I must go back to the controversy with respect to the publication of these letters. My opinion is that the publication of these letters was an inadvertence. They were addressed to the Secretary of State in confidence; but I am not disposed to blame either the Government or the Foreign Secretary, because the preparation of these documents necessarily takes place in an office. It is impossible that the whole manuscripts can be revised by the Foreign Secretary, and it may be that, through the mistake of some official, these letters came before him without the important appendage of "Private and confidential" which was marked upon them. Now, with regard to Sir Daniel Lange, I cannot help saying, that there is no individual next to M. de Lesseps himself who has been more essentially associated with the whole history of this great enterprize, and with all its struggles in the period of its most formidable difficulties, than Sir Daniel Lange. I know the untiring zeal and ardour with which this gentleman has laboured to dispose the public mind of England in favour of this project. In company with M. de Lesseps he held 22 meetings in the great centres of commercial industry, and the effect of these meetings was to satisfy M. de Lesseps that however the Government at that moment might, unfortunately, be indisposed to the prosecution of the enterprize, the commercial public perfectly understood its beneficial character, and would take full advantage of it in the event of its being carried into effect. It was, therefore, with a feeling of painful surprise that I heard of Sir Daniel Lange's dismissal. Of course, we have nothing to do with the dismissal of an officer of the Canal under ordinary circumstances, but I maintain that in this case the circumstances are not ordinary. This is the moment when we have been told that it is necessary for us to obtain a paramount influence and effective control over the Suez Canal. We have just paid £4,000,000 for the purpose of introducing England to the responsibilities and duties of this great undertaking, and yet this is the very moment chosen by the administrative Council in Paris and M. de Lesseps as Director-in-Chief to dismiss Sir Daniel Lange. Sir Daniel Lange is said to be dismissed on account of those letters marked "Private and confidential" addressed to Lord Granville seven years ago. I will only say I think it unfortunate that those letters have been published without the privity of Sir Daniel, who under the circumstances has a great title to the consideration of Her Majesty's Government. In fact, I would suggest that the commanding influence we have acquired over the Suez Canal shall be at once exercised—and it cannot be more becomingly or more beneficially exercised than by the friendly intervention of Her Majesty's Government with M. de Lesseps and his colleagues on the Council at Paris in order to procure by amicable means the reinstatement of Sir Daniel Lange. His sole offence is that he has been too English in his feelings, for the plea of official irregularity is but a poor pretext for the dismissal of a man who has had more to do with the making of the Canal than any one except M. de Lesseps himself. I must, however, look for another reason for the dismissal of Sir Daniel Lange. It is complained that he communicated with the late Government in a manner which betrayed too much leaning towards his own country, and too much English prejudice. I know that the official objection was, that these were unauthorized communications; but my belief is that the spirit of official pedantry cannot be so predominant in the Council of the Canal that this is the real reason. My opinion is, that the real reason was a little self-assertion on the part of M. de Lesseps. M. de Lesseps has read plenty of articles in the English newspapers; he has read the speeches of the ardent and glowing admirers of this transaction in its substance as well as its form. He was threatened with deposition from that throne on which he sits administering the supreme control of the affairs of the Canal, and it is not unnatural that he should say—"It is time for me to show the English Government and the English Press, and the world at large, that I intend to be master of my own house." If that was his intention, he could not possibly have adopted a more convenient and effective method of proving the reality of the power which he wields, and its complete concentration in his own hands—his determination that this country shall not cease either the control of this enterprize, or the influence in the conduct of its affairs which has been the result of these proceedings, than by this sudden and, I think, not very courteous dismissal of this most zealous, most indefatigable, and, I believe, able and faithful agent of the Company. I hope the Government will consider this matter. The people of this country cannot fail to perceive that it has a direct and serious bearing upon the existence of English influence. Sir Daniel Lange has been guilty of no offence that I am aware of, except that he loved his country a little too well, and was anxious that she should obtain a greater influence over the Canal. I am certain it is a matter of great satisfaction to all who are interested in the subject of the Suez Canal, if any hope is held out that this gentleman is to receive any —I will not say any compensation or reparation—but if any measures are to be taken with respect to him, which will have the effect of removing the consequences of the blow that has fallen upon him. There is yet another matter with regard to which I want to make a request of Her Majesty's Government. It is this—

No contradiction has been given by the Government to the statement which reached us some time ago from the East, with regard to the new arrangements between M. de Lesseps and Colonel Stokes on the subject of the surtax, and I am very anxious that the Government should, at the earliest opportunity, explain to us the particulars of the arrangement, and the exact operation of that charge which has been made in respect to the trade of the Canal. As I read the figures—and my computations are not founded upon as large information as theirs—the effect of the charges will be to impose an increased burden, and a prolongation of the burden upon the trade passing through the Canal. If that be so, naturally the country will again be surprised at the operation of this new and commanding influence which we are constantly told we have acquired. But I speak subject to correction: my only request is, that correct information may be given us through the kindness of the Government at as early a period as may be convenient.

MR. DISRAELI: Mr. Speaker, Sir, the right hon. Gentleman commenced by attributing to us some financial projects which were purely imaginary. An inquiry was addressed to me which I answered in frankness and without circumlocution, adding an observation which I felt it my duty to make, and which I was authorized to make. The right hon. Gentleman then creates a project or scheme of which he has no proof, and dissects and criticizes it at considerable length. Sir, I must protest against the introduction of imaginary projects on matters of this importance, precipitating events, arriving at premature conclusions, and not at all advancing the progress of Public Business in this House. The right hon. Gentleman seems to think that, when negotiations are proceeding, whether with respect to the Suez Canal, or in answer to requests made by a foreign Potentate, he is at liberty to make comments which, I think, every man of sense and temper must feel may be productive of very injurious consequences. I cannot, therefore, gratify the curiosity of the right hon. Gentleman upon the first point, on which he dwelt at so much length. I think it will not be convenient to the public service to go further than I have gone upon this topic. I can only say that Her Majesty's Government will enter into no arrangements for sending Commissioners to Egypt or any other country, unless they believe that the course they are taking is for the public advantage, and they will guard the public interests entrusted to them to the best of their ability. With regard to the incident of Sir Daniel Lange, upon which the right hon. Gentleman also commented at length, I can only judge of it as others do, so far as Sir Daniel Lange is concerned, from the public journals. The right hon. Gentleman hints that we should make Sir Daniel Lange some compensation; but Sir Daniel Lange has made no communication to the Government, and no complaint has reached us from him upon the point mentioned by the right hon. Gentleman. I believe Sir Daniel Lange to be an estimable and able man, and in this matter of the Suez Canal he has rendered service, and I should be glad to protect his interests as I would any other of Her Majesty's subjects. If he makes any communication to the Government he will be listened to with attention. But at present we are in total ignorance of the feelings of Sir Daniel Lange; he has made no complaint, and has not placed himself in communication with us. I may say that I do know privately that a personal communication has been made by M. Charles Lesseps to our Ambassador at Paris; and certainly so far as regards the feelings entertained towards Sir Daniel Lange and the explanation of his withdrawal from the partial management of the Canal, those feelings were not of a hostile, but were of a conciliatory, character. I should hope, indeed, that explanations may be given which will be generally satisfactory; and perhaps we shall find that the right hon. Gentleman has been unnecessarily alarmed with respect to Sir Daniel Lange. As to the passages published from Sir Daniel Lange's letters, the propriety of which publication the right hon. Gentleman challenged so severely, I repeat that these letters did not appear through inadvertence. The question whether they should be published or not was well considered, and they were published according to the rules and accepted regulations of our Foreign Office. There are five despatches of Sir Daniel Lange addressed to the distinguished statesman who was then Secretary of State, and a Colleague of the right hon. Gentleman. They were not all "private and confidential." Two of them are not so marked, and they are the most important. They were considered necessary to give the House a clear conception and complete history of the relations of this country with the Suez Canal, and of the previous negotiations which had occurred in this country respecting it. Moreover, the letters were submitted to the distinguished Colleague of the right hon. Gentleman before they were published. Having received his sanction, and no complaint of their publication having been made by Sir Daniel Lange, I am still in hopes that the right hon. Gentleman has taken a perverted view of these transactions—that ultimately it will be found that Sir Daniel Lange has not suffered from the publication of the letters as the right hon. Gentleman supposes, and that he may be restored to the position he held in connection with the Canal. The right hon. Gentleman asks for some further information as to the result of the negotiations between Colonel Stokes and M. de Lesseps respecting the surtax on the navigation of the Canal. As Colonel Stokes is almost daily, I may say hourly, expected in England, I think the House will feel it would be but fair to us to have the advantage of conferring with Colonel Stokes before we have any debate in Parliament upon this subject. Let me also remind the House that these negotiations between Colonel Stokes and M. de Lesseps respecting the surtax and other matters connected with the Canal cannot be decided by the mere will of Colonel Stokes and M. de Lesseps; they must be submitted to the signatory Powers represented at the International Convention upon the Canal which met at Constantinople; and though I anticipate no difficulty, this is an affair which requires some time. The comity of nations requires that we should not attempt to decide these things without duly consulting the Powers concerned. I think, therefore, it will be on the whole more beneficial to discuss the question when it is completely settled rather than prematurely. At the same time, when Colonel Stokes comes over, and we have the documents in our hands, we shall be glad to give information and enter into explanations, on the understanding that we do so provisionally, subject to the ultimate acceptance and ratification of the terms by the other Powers. These, I think, are the three points noticed by the right hon. Gentleman. I protest against his imaginary project respecting the conduct and duties of the Commissioners whom, he says, we are going to send to Egypt. I hope that, notwithstanding the dark view he takes, the relations between the Suez Canal Company and Sir Daniel Lange are not of that tyrannical character which he indicates; and with regard to the negotiations respecting the surtax, I think the House, and even the right hon. Gentleman, will feel that our discussion on this subject had better be postponed till Colonel Stokes returns and the Papers are in our possession.

Sir JOHN LUBBOCK said, that before the Bill was read a third time he was anxious to express his regret at the manner in which the financial part of the operation had been carried out by Her Majesty's Government. He confessed that while fully recognizing the necessity of preserving our access to India and the desirability of assisting a friendly Power, he was unable to see in what manner we should have acquired any additional power by the purchase of the reversion of these shares; but even supposing that it was desirable to purchase the shares, the manner in which the operation was effected seemed to him open to very grave objection. The right hon. Gentleman the First Lord of the Treasury, said that the Government could not go to the Bank of England, because the Bank was by law forbidden to lend money to the Government. But that was no answer to the right hon. Gentlemen (Mr. Lowe and Mr. Gladstone), who urged that the Government would have done well to consult the authorities of the Bank, and if they had done so, they would certainly have obtained the money on much more favourable terms. It had been supposed that the intention, in the first instance, must have been that some mercantile house should purchase the shares for the £4,000,000, contracting at the same time to re-sell them to the Government at an advance of £100,000. If that had been done, and if Parliament had really been free to act, the case would have been very different. But as the operation was actually carried out, it was a simple loan to Government at 15 per cent.

Now, what was the state of the money market at the time? The purchase was made on the 25th November, at which time the rate of interest was very low, and money very plentiful. *The Times* City Article of the 24th of November said—

> "The figures continue daily to droop, and are now quoted at 2⅝ to ½. Money in large amounts has been returned on the banks by borrowers, who could find no profitable employment at all for it, and the rates charged for the day-to-day loans against the security of Government stock are purely nominal. To the great increasing abundance of money is due mainly the rise referred to in Consols through the purchases of bankers, who see no prospect at present of preventing their surplus balances from becoming troublesomely large.

But then the right hon. Gentleman at the head of Her Majesty's Government said—"Oh, but the firm which lent us the money would of course have to sacrifice securities, and in doing so might easily lose even the whole of the 2½ per cent commission." That was no doubt the impression under which the right hon. Gentleman acted; but if he had consulted any confidential adviser in the City, that idea would have been dispelled; and he thought he was speaking quite within bounds when he said that if the proper course had been adopted the money might easily have been borrowed without paying any commission at all. We had been told that this was a very small matter. Economy was, no doubt, just now at a discount. A great deal, however, might be done with £100,000. He trusted that the Chancellor of the Exchequer, when he came to submit his Budget, would be able to look upon £100,000 as being a matter of very little consequence; but it was not so much the amount of money which had been lost as the humiliating fact that England should at this moment be borrowing money at 15 per cent. Her Majesty's Government seemed to have thought there was a necessity for secrecy in the matter. There was no need for secrecy; there was a great need for publicity. And that brought him to the second aspect of the question, in which, also, as it seemed to him, Her Majesty's Government were seriously to blame. As soon as the purchase was made they ought surely to have announced it publicly. Why, if a railway company declared a dividend, the fact was at once made known; if a telegraph cable was broken, the public were at once informed. Yet here was an operation which must necessarily have had a great effect on prices, yet it was kept a secret; and those who were in the secret were enabled to make large profits at the expense of the public. The right hon. Gentleman at the head of Her Majesty's Government did not deny that there were gigantic speculations, but he said that they were in consequence of telegraphic orders from Grand Cairo. But suppose they were, that did not affect the broad question at all. With regard to Mr. Cave's Report he did not know how far the telegraphic summary of it which had recently appeared was authentic. [The CHANCELLOR of the EXCHEQUER: Not at all.] Before sitting down he would like to ask the right hon. Gentleman the Chancellor of the Exchequer to reconsider some of the advice which he had tendered to the Khedive. The right hon. Gentleman said that the Khedive had fallen into the error of parting with valuable and improving property for too low a price. He (Sir John Lubbock) ventured to say that the Khedive had done exactly the reverse. Many a man in this country had brought himself into pecuniary difficulties by borrowing money at 4 and 5 per cent to buy land which only paid 2 or 3. The Khedive was one of the largest landholders in the world; he was probably the largest farmer in the world, and one of the largest manufacturers and merchants, and these gigantic operations were carried on to a great extent by means of capital borrowed at a high rate of interest. In conclusion, he would only say—and he did so with regret—that whether this purchase was wise in itself or not, the manner in which it was carried out gave an unfortunate opportunity for speculation, and imposed an unnecessary expense upon the country.

MR. MONK said, that in the publication of the despatches of Sir Daniel Lange it appeared that some letters marked "Private and confidential" had been published as well as those not so marked. He would like to ask the Under Secretary of State for Foreign Affairs, first, whether, when Papers were marked "Private and confidential," it was usual to publish those so marked; and, secondly, whether it was usual to publish them without communicating with the writer? He heard with surprise from the Prime Minister, if he understood him rightly, that Lord Granville had given his consent to the publication of those letters. If so, he was convinced that Lord Granville must have felt satisfied that no injury could have accrued to Sir Daniel Lange. But, so far as appeared, the publication of those letters was most indiscreet. There were in the letters expressions which might have wounded the feelings of M. de Lesseps; but the whole correspondence did honour to Sir Daniel Lange, as an Englishman who had at heart the interests of his country, and at the same time faithfully represented the interests of the Company.

THE MARQUESS OF HARTINGTON: Sir, I have only one observation to make on the speech of the right hon. Gentleman at the head of the Government. In speaking of the despatches addressed by Sir Daniel Lange to Lord Granville, the right hon. Gentleman stated that a copy of those despatches was sent to Lord Granville, and that it was with his consent they had been published. It is true that a copy of the despatches was sent to Lord Granville, but I have not been able to ascertain the circumstances under which it was sent, whether as a matter of courtesy or in accordance with the usual practice of the Foreign Office. But it is entirely a mistake to suppose that if the despatches were sent, Lord Granville was consulted as to their publication. No expression of opinion from Lord Granville was expected or asked; and Lord Granville would have gone entirely out of the way if he expressed any opinion as to the propriety of the publication or not. So far as my information goes, there was nothing in the despatches submitted to Lord Granville by the Government to show that they were private and confidential. If the House wishes, after having an opportunity of seeing Lord Granville, I can lay further information on the subject before it; but this I can state at once—that Lord Granville took no responsibility, nor was he expected to take any, in the matter of the publication.

MR. DISRAELI: I did not for a moment wish to intimate that Lord Granville underwent any responsibility by reading those despatches, but only that it was usual for the Foreign Office to submit despatches which it had received to a late Foreign Secretary, and when they are submitted he has certainly an opportunity of objecting to their publication.

MR. LOWE said, he wished to say a word or two upon the subject of these despatches. It seemed to him that a very extraordinary doctrine had been propounded by the Prime Minister. Some of these despatches were "private and confidential," and the right hon. Gentleman said that they had been published by the Government notwithstanding. The meaning of that was, that the Government received information, given on the express condition by the informant, that it should be "private and confidential," and then, having gained the advantage of that information, assumed to itself the right to break the condition on which the information had been given, and thus subjected the person who had given it to great disadvantage and loss. He maintained that no Government had any right to do that. He utterly denied that any Government could discharge themselves of their moral obligation to preserve faith with people who had given them their confidence? And, further, he would say, even if those despatches were sent to Lord Granville, and even supposing he were asked his opinion as to whether they should be published or not, it was no more in the power of Lord Granville than of the right hon. Gentleman to break faith with the man who had given the information. One word more. The right hon. Gentleman the other evening was never tired of telling us of the immense influence and power we had gained by the purchase of the Suez Canal shares. Well, here was a fine opportunity of showing it. A most estimable person had been discharged from his place and put to a good deal of annoyance for doing a service to us. He could not imagine a more fitting occasion on which this great power and influence which we had gained could be shown. The right hon. Gentleman might say that though the Government had acquired great influence they did not want to abuse it. He did not want them to abuse it. But let them use that influence. Lord Derby, when boasting of the great influence we had obtained by the transaction, had said that even though we should receive no dividends for 19 years, and even if we should obtain no share in the direction, the man who did not see that we did gain immense additional influence by this expenditure of £4,000,000 it was useless to argue with. Now was the time to show what influence we had gained. In the case of any other person, instead of summary dismissal the matter would have been laid before Her Majesty's Government and some conferences or correspondence would have been entered into before any step was taken. But here a man had been summarily dismissed without any communication whatever with Her Majesty's Government. Could there be a better opportnnity of showing that the Government had gained the power of which they spoke? On the other hand, could any one believe that we had influence if we could not redress an injury to a most meritorious man?

THE CHANCELLOR OF THE EXCHEQUER wished to say one word in explanation. He had been asked by the right hon. Gentleman the Member for Greenwich whether the intention was to submit a Vote for £80,000 in Committee of Supply, but the Vote in Supply had already been taken for £4,080,000, and the only question now was how to find the Ways and Means for it. With respect to the issuing of Exchequer Bonds for £4,080,000, he did not expect to issue more than £4,000,000. The case was analogous to that of the Alabama Claims. The right hon. Gentleman opposite (Mr. Lowe) took power to issue the whole, but he did not find it necessary to do so.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

CONSOLIDATED FUND (£4,080,000) BILL.

(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith.*)

THIRD READING.

Order for Third Reading read.

Motion made and Question proposed, "That the Bill be now read the third time."—(*Mr. Chancellor of the Exchequer.*)

MR. DODSON asked what were the circumstances with regard to the fragmentary sum to be asked for?

THE CHANCELLOR OF THE EXCHEQUER said, something was paid to the captain of the ship for bringing over the bonds, and that, with the interest, came to something more than £79,000. They took a Vote to cover the entire expenditure, but it was not certain yet as to what particular item the sum would be applied, but if it were found to be more than sufficient for the purpose, the balance would be surrendered to the Exchequer. Mr. Cave was expected in England in a few days, and the Government would have an opportunity of obtaining further information.

MR. GLADSTONE considered that the more correct and Parliamentary course for the Chancellor of the Exchequer to have adopted would have been to have dealt separately with the sum which was to be paid to the Khedive and that which was to be paid to Messrs. Rothschild. He admitted, however, that it was now too late for that. With regard to the fragmentary sum also, the course which the right hon. Gentleman proposed was rather an inconvenient deviation from Parliamentary practice—namely, to ask the House to vote a certain sum, however small, without any Estimate, and for the insufficient reason that it was to make up a round number. The right hon. Gentleman had evidently not the smallest knowledge as to what the sum was to be applied, and that was scarcely the way in which the voting of the public money ought to be conducted.

MR. SULLIVAN wished, in justice to M. de Lesseps, to say that when the proper time arrived for discussing the dismissal or withdrawal of Sir Daniel Lange, it would be found quite an erroneous assumption which had run through the short debate, that M. de Lesseps had been actuated either by bitterness, heat, or injustice in his conduct. He would only add that the letters written by the representative of the Canal Company, while displaying that partiality which an Englishman ought to show to his own country, were wanting in loyalty to the president of the committee of which Sir Daniel Lange was the representative, and that there was no commercial nation on earth and no mercantile firm in England which would allow its representative or secretary to act as Sir Daniel Lange did on that occasion towards M. de Lesseps.

Question put, and *agreed to.*

Bill read the third time, and *passed.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY ESTIMATES.—RESOLUTION.

SIR WILFRID LAWSON, in rising to bring forward the Motion of which he had given Notice—

> "That, in the opinion of this House, the interests of the Nation do not demand any increased expenditure on the Land Forces."

said, that in common with the rest of the House, he heard with great admiration the clear and eloquent exposition of the Army Estimates made on Thursday night by his right hon. Friend the Secretary for War. There was one sentence in the speech which pleased him much; it was when the right hon. Gentleman said with sincerity that there was no warmer friend of peace in the House than he was. He (Sir Wilfrid Lawson) believed in the sincerity of the right hon. Gentleman's assertion, and as he also was a friend of peace, they did not differ in their object, but only in their opinions, as to the best means of promoting it, and the question he brought forward was whether their large standing Army was really more likely to produce peace or to lead us into war. Having congratulated the right hon. Gentleman on his speech, he wished that he could congratulate the Government upon a certain portion of the Queen's Speech. The Government had introduced a new system as regarded the form in which the Queen's Speech was delivered. They used formerly to be told that the Estimates would be laid before them with due regard to economy. But that was now entirely omitted. He did not know why it should be omitted, for, indeed, it indicated the temper of the country. He was not under the insane delusion that in bringing forward the Motion he was acting a popular part. Economy was the most unpopular of doctrines. The popular doctrine was thus represented—

> "The jolly old soldier who lives on his pay,
> And spends half-a-crown on his sixpence a-day."

The Government which spent money generously was far more popular than a cheeseparing Government which looked after the interests of the taxpayer. He and those who supported his views admitted that the country might not be with them at present; but he was content to follow the example of those right hon. Gentlemen on the front Opposition bench who spoke so much about the Suez Canal shares. This country was against them, but he honoured them all the more, as that was the time for men to speak out, and although the part they took was not popular now, they would have their reward hereafter. He was very glad that the debate of his hon. Friend the Member for Hackney (Mr. J. Holms) was over, because they need not be distracted by going into military details. They had a good many the other night; but when they got into Committee they would have to fight a good many more, and he wished the Secretary at War a good deliverance from them. He should like to know why they required this great standing Army. He was afraid that it was vain to ask why they had such an expenditure upon it. Without going into any administrative details, he hoped those who followed him in the debate would confine themselves to the policy of the country in this particular matter, for as the Prime Minister, in one of those maxims with which he sometimes favours the House, most truly said —"Expenditure depends on policy." That was the only opportunity they had of discussing the broad spirit of the question, and it was important that they should do so. Lord Derby, in one of his sensible speeches, talking about Army organization, said—"Let us decide what we want the Army for—what are its duties?" That was his sole object in bringing forward his Amendment. He wanted a statement from the Crown as to what was the object which they proposed to themselves in levying those forces. He asked the question every year, and never got an answer yet; but he was in hopes of getting an answer tonight. An Army must be for one of two objects—either for offence or defence. Besides, hon. Gentlemen must not forget the existence of the Fleet, which was sometimes utterly ignored on this question; and the Fleet, being now free from looking after slaves, could devote itself entirely to the protection of the country. He did not think that 500,000 armed men were required for the protection of this country from invasion. It might be that the Volunteers and Militia could not count for much; but he heard a glowing account from the Secretary at War the other night, and he proved that these branches of the Service contained some of the greatest warriors that the world had ever seen. Then, if they did not want so large an Army for home protection, it must be to enable them to interfere in foreign affairs. That was what he said they did not want an Army for. He had read a letter from the chaplain to the Forces, who spoke of the Army as "God's high police," but he would like to know from whence they got their high commission? He concurred in the opinion already expressed that the Army was corrupting the people. Some people contended that England was not to give up the European position to which she was entitled; but he thanked Heaven they had given up that notion altogether of interfering in Europe. They never suggested an interference to save Poland from injustice, and he did not know when the House was more stirred than when Prussia attacked Denmark. Then the French and German War broke out, and England sat by and allowed two great nations to cut each other's throats without going to make the mischief worse. He might also mention the *Alabama* settlement at which hon. Gentlemen opposite jeered the other night, although the Chancellor of the Exchequer, to his everlasting credit, took part in that settlement, by which England, in submitting fairly to the award, though it went against her, gained more honour than she could have won by the bloodiest victory on the battle-field. They had few opportunities now-a-days of obtaining preeminence by fighting, so they had lately adopted a new system of getting influence in the world—namely, by buying up shares. To accomplish what the head of the Government called a great political transaction, we gave a great price for shares with the coupons cut off. The country was delirious with delight at the purchase; and the hon. and learned Member for Sheffield (Mr. Roebuck) declared that it would make the Prime Minister's name memorable for all time, in which he quite agreed with him. Such a policy was certainly better than fighting; but if they adopted it they did not want so big an Army. The right hon. Gentleman had paid his £4,000,000 like a man; but why did he not knock off that sum from the Army Estimates? No one would miss it there. The settlement of disputes by force could be reduced to three alternatives. If they went to war it must be either with a Power that was stronger than themselves, or with a Power that was weaker than themselves, or with one that was exactly of the same strength as themselves. If they fought with a weaker Power they were cowardly; if they fought with a stronger Power they were foolish; and if they fought with a Power of equal strength, it was a toss up who should win. But then people would say that they must have a standing Army, and that what the Minister was doing was to provide for the efficiency of the Army. He asked them not to throw themselves into a fever for the purpose of obtaining efficiency. That was the sort of language that had been going on as long as he could remember—as long as he had had the honour of a seat in that House. In one of his speeches the right hon. Gentleman the Member for Greenwich said the plea of efficiency as a ground for extra charge ought not to be admitted without a great deal of careful scrutiny, for the result of his experience was that whenever there was a disposition to spend money it was invariably discovered that the services were inefficient. Years ago they were told that if they only got the Militia they would be safe. Well, they got the Militia, and then they wanted fortifications. The fortifications were erected at a great expense; but people were then as much alarmed as ever, and nothing would appease them but the enrolment of the Volunteers. The Volunteers were accordingly raised, and yet our military expenditure had been increasing ever since. Then came Lord Cardwell with his scheme for blending the Army into one harmonious whole—what they had been trying to do with the Liberal Party for the last two years; and now they had a mobilization scheme, the meaning of which nobody knew, and therefore he would not speak about it. But after all these changes, which were to work such wonders, an hon. Gentleman like the hon. Member for Hackney (Mr. J. Holms) got up and, backed by some of the colonels, told them the whole thing was as rotten as any human institution could well be. Why, in 1876, were they asked for the largest peace establishment this country ever had? [An hon. MEMBER: No.] Well, however that might be, it was far too large. Against whom were they arming so tremendously? In the Queen's Speech they were told that our relations with all foreign Powers were most cordial. They could not now have France as a bugbear, as in Lord Palmerston's time; while Prussia, on the other hand, had enough to do in looking after France. Then, as to Russia, to judge from the tone of public opinion, we were more likely now to fight by her side than against her. Having fought for the Turks 20 years ago, if we fought again, we should probably turn about and go against them. But, in his opinion, instead of fighting for the Christians of Herzegovina, we had better settle how to bury our own Dissenters. He knew what the answer of his right hon. Friend would most likely be. He would say very truthfully he had no doubt that he had no intention to disturb the peace of Europe and mix in their affairs, but that we must be ready for these little wars in Ashantee, Abyssinia, Malay, and on the Gold Coast, where our troops went out, and, after shooting a few Natives, came back and got decorated as if they had defeated the whole Prussian Army. But we had been able to carry on these little wars on our present establishments, and therefore there was no reason for increasing them. It was said that we might, in spite of all precautions, get into quarrels of a European kind; so we might, but then we might and ought to keep out of them. *The Times*, in an article the other day, summed up the matter in a few words, when they said that what a Minister had to do was to measure not possibilities but probabilities. That was so; let us then deal with probabilities like rational men. He had heard that Mr. Green, the aeronaut, lived to a great age, and the one reason of this was the living so much of his time up in the air in balloons, he did not run a risk of getting run over by cabs. It was said that we might get into these quarrels. So we might; but why did we put right hon. Gentlemen opposite into places of honour and profit for but that they might prevent England getting into these quarrels? If they did get into quarrels which they could not get settled without an appeal to force, they were, he maintained, failures in statesmanship; and he maintained that they were more tempted to cut the Gordian Knot with the sword and settle matters by brute force if they had a great army than a small one. The House would, he thought, agree with him that the present state of Europe was horrible and heart-rending. There were now 9,000,000 men in arms, at a yearly expenditure of £136,000,000. This might be called peace, but it was in reality nothing but smothered war. And yet most of these countries were professors of the Christian religion of peace on earth and good-will to men. Most of them had established Churches professing to be Christian Churches; but the real established religion in those countries was that of Mars as much as it had ever been in any country on the face of the earth, and at any time in the history of the world. England had now a great opportunity of setting a great example to the world. Indeed, there never was such an opportunity. Here we were without a whisper of discontent in any part of the United Kingdom. We had no unworthy objects to seek; we had no territorial disputes; we had no quarrel with any great Power. Surely, then, we might reduce armaments, which so cruelly pressed upon the springs of industry. He did not know what support he should get for his Motion. He did not expect much support from his hon. Friend opposite, although he was happy to say that on a former occasion the Nestor of the Tory Party—the right hon. Member for Oxfordshire—had voted against this rapid increase of our armaments. But still he could not expect that many hon. Gentlemen opposite would vote with him, because having confidence in the Government they would naturally back them up in their Estimates. But the right hon. Gentlemen on the front Opposition bench were heirs of the traditions of the Whig Party. Let them show that they shared the opinions of the Party. The Whig Party had once won great laurels by advocating peace, retrenchment, and reform. Let right hon. Gentlemen now support the retrenchment which was the earnest of peace. They had heard a good deal lately of the height of our soldiers and their girth round the chest, and the House cheered loudly when they heard that that height and girth had not diminished. Well, he was not anxious about the stature and proportions of the British soldier, but he was anxious about the stature of British statesmen, and he did hope that the occupants of the front Opposition bench would show that in this respect there was no degeneracy, either in their heads or their hearts. If they voted with him they would, at any rate, show that there was some difference between them and the right hon. Gentleman opposite, for they could not go to the country on the cry of Sir Daniel Lange. There was certainly a small number of hon. Members on that side of the House—let them be called if they liked a wretched minority, or a Radical residuum—who would vote with him on that Motion, and thus declare that in their opinion mighty armaments were not the glory, but the disgrace of a country, and that true statesmanship consisted, not in providing the machinery for human slaughter, but in gradually leading the minds of men to that superior way of settlement which was in accordance with peace, justice, religion, and humanity. The hon. Baronet concluded by moving the Resolution.

MR. RICHARD: I rise to second the Motion of my hon. Friend the Member for Carlisle; and, in doing so, I cannot but express my deep regret that we should be called upon to vote £600,000 additional to our military expenditure this year. And that is not all; for the right hon. Gentleman the Secretary for War, with that perfect frankness which we should have expected from him, has told us that, if we accept his proposals, there will be a considerable prospective expenditure, stretching over many years to come. The only hope of reduction he holds out to us gleams upon us through a vista of 36 years a-head; for if any of us undertake to live to the year 1912, he promises us a diminution of £50,000 at that period in one of the items. And yet, compared with the preposterous and extravagant demands and expectations put forth in some quarters, perhaps we ought to be grateful to the right hon. Gentleman for his moderation. But surely an Army expenditure of £15,000,000 during peace is monstrous. No country in Europe has so little justification as we have for a large expenditure on its army; and, in my opinion, no country in Europe gets so little for what it does expend. For the mortifying and discouraging fact is, that we seem to gain nothing as regards even our professed objects by lavishing such enormous sums on our armaments. I have watched with some attention the gradual growth of our naval and military establishments for the last 35 or 40 years; and what I observe is this, that in proportion as we add to what are called our national defences does the sense of insecurity increase, if we can trust those whom I may designate as the professional alarmists. I am old enough to remember 1835, when, under the Administration of the Duke of Wellington and Sir Robert Peel, we were satisfied with a little more than £11,500,000 for all our fighting establishments—Army, Navy, and Ordnance. And certainly we were then perfectly calm and contented, able to sleep comfortably in our beds, far more so than we can, or at least ought to do now, according to the views of the alarmists. And there is this further peculiarity about the case, that when you have conceded anything to the clamours of those who demand large armaments, what they have obtained becomes comparatively worthless in their estimation, and is immediately made a point of departure for demanding something else. So it has been with the Militia, the Volunteers, the Fortifications, the Army and Militia Reserve, the localization of the Forces, and other changes introduced by Lord Cardwell; and so it will be, I have no doubt, with the mobilization scheme of the right hon. Gentleman. When gotten, everything is utterly unsatisfactory, and we want something else. Thus we find, in an article in the current number of *The Edinburgh Review*, the writer tells us, after all that has been done for the last 30 or 40 years; after raising our forces from 100,000 men in 1835 to more than 500,000 in 1876, after spending more than £320,000,000 sterling on the Army alone within 20 years, from 1856 to 1876, "as respects the guarding of our national honour, and providing for the national defence, we are in a faulty, ruinous, and dangerous condition." But surely if, after these prodigious sums have been lavished on the Army, we are now told that we have no effectual defence, the people of this country have a right to ask—"What have you done with our money?" Now, there was a sentence once uttered in this House, by Sir Robert

Peel, which I would respectfully recommend the right hon. Gentleman the Secretary for War to have inscribed in large letters upon the wall of the War Office, opposite the spot where his desk is placed, that he may have it continually before his eyes. It is this—

> "If the House listens to the opinions of military men, who were naturally prejudiced upon this subject, they would involve the country in an outlay that no revenue could bear."

I hope I shall not offend the many hon. and gallant and *quasi* gallant Gentlemen with whom this House abounds by what I am about to say. But it is with me a matter of deep and earnest conviction, that one of the greatest calamities under which Europe is suffering at this moment, and has been suffering for many years, arises from the fact that its policy is so much under the influence of the military class. Everywhere — in the Courts of Kings, in the councils of Cabinets, in the deliberations of Parliament—their influence predominates, and that influence is constantly and stedfastly employed to propel the Governments deeper and deeper into that fatal system of rivalry in armaments under which all the nations of Europe are groaning, as a burden too heavy to be borne. I do not mean to say or insinuate, that military men love or desire war for its own sake, or that they are reckless of human slaughter and human suffering. On the contrary, I believe there are among them men as generous and humane, and as full of kind and benevolent sentiment as any class of the community. It is not among military men, especially if they have been engaged in actual service in the field, that we shall find those who speak of going to war with a light heart. And probably there are many of them who would sympathize with the sentiment of a very distinguished member of their profession, General Trochu, who, in a work published by him in 1867, uses these remarkable words. After a very vivid description of the evils inflicted by war on inoffensive populations, he continues—

> "The spectacle of these devastations and sufferings is distressing to military men who have any elevation of spirit. They are astonished that modern civilization, which is so proud of having everywhere, in individual transactions, substituted for force the principles of law, still leaves international differences to be settled by letting loose the scourge of war. Their minds are filled with contempt for those men of the drawing-room (*ces hommes de salon*) who welcome and celebrate war in conventional language, which only reveals their own vanity, their ignorance, their ambition, and selfishness."

And I cannot but recall with pleasure that when I brought forward and carried in this House a Motion in favour of international arbitration as a substitute for war, I was supported by the votes of a considerable number of hon. and gallant Gentlemen. Still I cannot but feel that it is a great evil that a large body of intelligent and active-minded men, who perhaps have nothing particular to do during these piping times of peace, should have all their faculties and energies devoted to extending the fighting establishments of the world. I do not blame them. Like all other professions, they do what they can to magnify their own office. But, unhappily, their professional prejudices colour everything they look upon. By dwelling continually upon one class of ideas, these grow into such proportions as to occupy the whole sphere of their vision, so that they cannot conceive of civilized and Christian nations as existing in any other relation to each other than that of armed and mutual menace. I know no remedy for this, but for the people of Europe to take the management of their affairs out of the hands of the military class into their own. On this ground I feel grateful to my hon. Friend the Member for Hackney (Mr. J. Holms) that he, as a civilian, should, with such laborious diligence, have sought to master the details of our military system, and expose what he considers its defects. It required a great deal of courage to do this, for he must have known that he was thrusting his hand into a hornets' nest, and that the military wasps would come out and buzz about his head as they have done, and, I have no doubt, will continue to do. Now, I must repeat the question already asked by my hon. Friend the Member for Carlisle, what do we want all these forces for? Is it to defend ourselves against attack? But from whom do we apprehend attack? France used to be the great God-send of the panic-mongers, and I think few can look back without humiliation and shame to the series of ignoble panics to which we delivered ourselves as a nation as respects France. It mattered not under what Government France was placed, whether a Constitutional Monarchy, or a Republic, or an Empire. It mattered not how France was engaged, whether in the agonies of a domestic revolution, trying to construct a Constitution for itself out of the ruins of that which preceded it, or fighting the Austrians in Italy, or negotiating Commercial Treaties with this country, we were required to believe that France was always meditating mischief against this country. Nay, when we were in close and friendly alliance for purposes of peace it was all the same, for I remember the right hon. Gentleman the present Prime Minister, in rebuking one of these panics, said—

> "At the very time when France was working with you for the common weal of humanity, her ruler is held up as a bandit and a corsair, who was about piratically invading this country, without the slightest warning or previous cause of quarrel."

But the circumstances of France are now such that the wildest of the alarmists cannot profess to apprehend danger from her. Then, for what other purpose do we want a large Army? We have renounced the policy of intervention in the quarrels of the Continent, at least all our statesmen have done so—Conservative as well as Liberal. In proof of this I may cite the words of Lord Derby, the Foreign Secretary. In addressing his constituents at King's Lynn, when he was a Member of this House, adverting to the debate on the Dano-German War, which had taken place in 1864, he said—

> "The ostensible object of that debate was to take the sense of this House as to whether the Danish negotiations had been mismanaged, but the object with which many Members—I among the rest—went into it, was to obtain from Parliament a distinct and decided expression of opinion in favour of a policy of non-intervention in Continental disputes; in that we perfectly succeeded."

The right hon. Gentleman himself the Secretary for War made an admirable speech in the same debate, in which, referring to the facts of the Dano-German War, and the part we had taken in the matter, he said—

> "I say that facts point to the conclusion that the position of England, free from Continental complications and embarrassments, fits her for being the mediator of Europe. They point out that, having nothing to gain from the oppression of the smaller States, nor from the damage of the larger, she is qualified to occupy a position of dignified neutrality, a position in which she can wield more influence than she could ever gain by war."—[3 *Hansard*, clxxvi. 1022.]

It seems to me, Sir, that the only hope of salvation for Europe is, by the Governments beginning to retrace their footsteps—that, as they have been going on for generations, adding to their armaments on a system of rivalry to which there is absolutely no limit—so they should agree to enter on a process of mutual and simultaneous disarmament. I am happy to say that there is an important movement in this direction going on on the Continent of Europe. A proposal, backed by a large number of Members, has been laid before the Austrian Reichsrath, proposing not only that there should be a reduction in the Austrian Army, but that the Imperial Government should "use its best endeavours to promote the idea of such a general, proportionate, and simultaneous reduction of armies, as would not affect the balance of power of the various States." A similar movement is contemplated in Germany, and it is probable that, before long, a proposition to the same purport will be submitted to the German Parliament. I should like, if an opportunity offers during the present Session, to ask the opinion of this House on the same subject. I should rejoice, indeed, if our country were to have the honour of taking the initiative in so benificent an enterprize. There were words once uttered in this House by the present Prime Minister, which I should like to hear uttered again. They were words which he recommended the Government then in office to address to the Government of France. I wish he would now address these words not to the Government of France only, but to all the Governments of Europe, and I am confident that his voice would awaken a cordial and general response, at least among the nations of Europe, whatever the Governments might say. These are the words, and with them I conclude my observations—

> "Let us terminate this disastrous system of wild expenditure by mutually agreeing, with no hypocrisy, but in a manner and under circumstances which admit of no doubt, by the reduction of our armaments—that peace is really our policy."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the interests of the Nation do not demand an increased expenditure on the Land Forces," — (*Sir Wilfrid Lawson,*)

—instead thereof.

Mr. J. HOLMS said, he must express, as others had done, their debt to the Secretary for War for the remarkably clear manner in which he had introduced the Army Estimates, and for the index which made reference to them comparatively easy. Although he could not express unqualified approval of the Army Estimates, yet the right hon. Gentleman had made many proposals that were in the right direction, and among them was the increase of pay to non-commissioned officers and to the Reserve. While admitting that we must see more of our Reserves in the future than we had in the past, he doubted the policy of calling them out for too long a period. In Prussia, after men had been made thorough soldiers they were allowed to go home, and were scarcely called out at all afterwards. The right hon. Gentleman proposed to give 2*d.* a-day extra to all ranks below that of non-commissioned officers. [Mr. Gathorne Hardy: Not to those who come on the pension list after 12 years.] As all except these were to receive 2*d.* a-day extra, he scarcely thought the House was in a position to tell what would be the exact cost of the Army for 1876-7. The Estimate provided for an increase of 3,600 men, and of £603,900 in expenditure. The pay amounted to £163,000, and that sum would have a great deal of duty to do. The right hon. Gentleman said that the increase required for non-commissioned officers' pay amounted to £104,000, of which sum India was to provide £37,000. The lodging expenses for non-commissioned officers amounted to £15,000, the additional pay to the Foot Guards to £8,000, and that for the men passing into the Reserve to £13,000, making in all, roundly, £126,500, or leaving £36,000 only for the pay of the 3,600 men who were to be added, or £10 per man, which seemed to show that they were at last beginning to pursue a policy of economy in respect of the British Army. But taking the pay at the moderate sum of £25, it would amount in all to £95,000 less the £37,000 which was provided, leaving a deficit of £58,000. His calculation, therefore, was that the increase of the Estimates would be £656,900. There remained the question of the deferred pay. According to the statement of the right hon. Gentleman, 2*d.* a-day would not now be given to all privates, but all would expect it, and if withheld they would see greater dissatisfaction than ever. Now, on the 1st of January, 1875, the number of effectives borne on the Estimates was 155,000 men. This number receiving the increased pay of £3 0*s.* 10*d.* a-year would involve an expenditure which would amount roundly to £470,000, but the Estimate only provided for £13,000, leaving £457,000 to be provided for; and, moreover, the Reserves were to receive an increase of £2 a man, or £19,000, for which no provision was made. He did not complain that those sums were not to be found in the Estimates, as the custom was that only the sum required for the current year appeared there. He thought, however, that it ought to be made clear to the House and the country that the proposal of the Government pointed at an increase of £476,000 a-year. Of that sum no less than £204,000 a-year would be contributed by the taxpayers of India. Hon. Members from Lancashire who were seeking for a reduction of the tax upon their goods should bear this fact in mind. He wished also to say a word or two as to recruiting. In 1861 the number of effectives which we had at the end of the year was 206,500, and to that number we had to get only 10,600 recruits. Three years later the number of men we had at the end of the year was 194,000, whilst we took 16,000 recruits; and in 1872-3 and 1874 we had 188,700 men, but the recruits were no fewer than 21,000. He must further say that the right hon. Gentleman the Secretary for War had said nothing as to the rivalry which existed between the recruiting sergeants of the Militia and the Line, and which undoubtedly affected India in the obtaining of recruits. Comparing the condition of our Army at present with what it was in 1861, he wished to point out that whilst the number of recruits required had gradually increased, whilst the number of effectives at the end of the year was absolutely fewer showing that the hon. Baronet the Member for Carlisle was right, and that whilst more men and money were asked for, we had at the present time a weaker force than before.

MR. GATHORNE HARDY said, that he would frankly confess that he had not been able distinctly to follow the remarks of the hon. Member for Hackney (Mr. Holms), but he would say this generally, that with regard to all questions of deferred pay and the increase of the Army, that the amount required had been made up by those who made up the Estimates, and he was assured that the Estimates would cover the demand for the year. There might, however, be a greater number of deaths or a greater number of men discharged in a particular year than was allowed for; and, therefore, in all cases there could only be a rough estimate formed. He was sorry not to have been able to lay on the Table that day the Paper moved for by the hon. Member for Reading. The instant, however, it would be ready—and that would be soon—he would lay it on the Table. He found that in the final calculations the Army and the Reserves had been mixed together, and the figures would not have conveyed to the House the clear information which he wished the House to have. When it was in the hands of hon. Members it would be seen how and to what extent the calculations were made, not for this year, but for the ensuing years. The calculations he was, however, bound to say could only be founded on somewhat rough Estimates for each particular year. As to the additional Forces which were to be added to the Army, the hon. Member for Hackney seemed to have assumed that every recruit was paid from the first day of the year, though that was, of course, a complete fallacy. Some men did not join until the very last month of the year, and therefore, when the hon. Member assumed that a very large sum would come in course of payment during the year, the amount should really be put at one-half or one-third of that at which he put it. With respect to the calling out of the Reserve, he quite agreed with the hon. Member that it ought to be done with great delicacy and consideration for the men; but what he and the country wanted to see was that the men came into the ranks; that they did not come merely for pay, but that they were prepared to put themselves in a position in which they would be ready for service. The Motion of the hon. Baronet the Member for Carlisle was founded upon the assertion that the expenditure on the Army was excessive, and he asked what was the object of the Army? Well, the Army was intended for the defence of India, of our colonies, and of our own country; and, further, it was intended for offensive purposes also, should the necessity unhappily arise. These were the essential purposes for which we maintained our Army, which was certainly not a large one compared with those of other countries in Europe. When those facts were considered he did not think that the Estimates before the House could be regarded as excessive. Certainly, when our Army was compared with those of other European Powers, no one could say that it was maintained for the purposes of offence. For himself, he must state that, if he thought that European complications were at hand, he should have proposed greater additions, lest at the last moment he might be obliged to do what his Predecessor in office had done—namely, under circumstances of great haste and confusion to bring up at once, probably 20,000 recruits. Now, what had been the consequences of bringing up 20,000 recruits in one year? the consequence was, that the Army was affected for years after by it, as they could not under such pressure get the kind of recruits that they required. That 20,000 being hurriedly raised had brought discredit upon the Army, from which it had scarcely recovered yet. With respect to the general question, he thought the House would admit that if they were to keep up their stores, fortifications, and armaments, and to lay the basis of an efficient Reserve, the proposed expenditure was necessary. Not only was all that he asked for necessary, but if he were to press for more he thought he could make out a strong case in support of such a proposal, and that the House would see the repression he had been obliged to exercise, and in some instances not without apprehension. But his endeavour had been to cut down the Estimates to that which he considered to be absolutely necessary. In that way his hon. Friend twitted him with studying "efficiency only;" but the speech of the right hon. Gentleman the Member for Greenwich to which he referred, terminated in a very different way from what the hon. Baronet seemed to infer. The right hon. Gentleman said do not listen to the cry of "efficiency" without carefully scrutinising it, but look into it to see that that which you were doing might tend to promote it. He (Mr. Hardy) had never asked the House to give anything without a careful scrutiny, and he was far from wishing the House to give him anything without careful scrutiny, or to debar hon. Members from taking the sense of the House upon it, and discussing the subject at any length they might desire. Now, with respect to the increased expenditure, the new fortifications and barracks could not be kept up at the same expense as the barracks previous to that time, and, generally speaking, these large buildings could not be maintained without an increased expenditure, which must have been foreseen by those who were parties to planning and building them. His object, like that of the hon. Baronet the Member for Carlisle, was peace; but, at the same time, he meant to be in such a position that he should not, in case of emergency, be driven into excessive haste—not driven to do anything under panic—and he could assure them he was under no panic now, or he should have proposed very different Estimates. He wanted to guard against haste, against panic, against uneasiness of mind, against false economy, which led to vast expenditure afterwards, and also against the suspicion that this great country could leave itself in a position which was founded upon the hope or expectation that it would always be at peace. He did not believe that the world at large had arrived at such a purely Christian state as had been spoken of by some hon. Members, so that it was incapable of going to war. He saw, indeed, every indication of the reverse of such a state of things, and, therefore, he wanted to lay a foundation of national defence which, if not large, should be solid. He had done something, he believed, to secure that result by a better treatment of the non-commissioned officers and soldiers, and by proposing measures to put the Army Reserve in such a position that it might be regarded as a reliable force. For these reasons, he might almost ask for the votes of the two hon. Gentlemen who had moved the reduction of the Army.

Major BEAUMONT said, that he should vote for the Amendment with the view of saving money and not for the purpose of diminishing the efficiency of the Army. He should not attempt to reply to the shadowy arguments of the hon. Baronet the Member for Carlisle, because it would be like the Quixotic attempt of kicking a windmill—or, more properly, a water-mill.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 192; Noes 63: Majority 129.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 132,884, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1876 to the 31st day of March 1877, inclusive."

Whereupon Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 122,884, be maintained for the Service of the United Kingdom of Great Britain and Ireland, and for Depôts for the training of Recruits for Service at Home and Abroad, including Her Majesty's Indian Possessions, from the 1st day of April 1876 to the 31st day of March 1877, inclusive."—(*Mr. Pease.*)

Mr. ANDERSON said, he wished for further information than had yet been afforded as to the guns which were proposed to be placed in the fortifications, and he also desired to know why Major Moncrieff was no longer employed to carry out his system of gun carriages, and whether or not those carriages had been found efficient? Something had been said by the Minister for War in introducing the Estimates with regard to balloting for the Militia. The right hon. Gentleman had said that it would be necessary to put the system of recruiting for the Militia on a more satisfactory footing. Well, the country was somewhat apt to look upon that as a threat that they might have the ballot for the Militia; but if it was not intended to institute ballot for the Militia, why had it been broached? The right hon. Gentleman would perhaps inform the Committee why he had introduced the subject. Then as to Militia adjutants, he should like to hear from the right hon. Gentleman whether Volunteer adjutants could not be put on the same footing as regarded retirement as Militia adjutants. He wished also to know what would happen in the event of a Volunteer regiment or a Militia regiment being without its commanding officer and majors in the field? Would the Militia or Volunteer captain take command, or would it devolve upon the adjutant, seeing he, as a full-pay captain, had seniority over all Reserve Force captains. The arrangement suggested by the right hon. Gentleman with reference to the Army Reserve was a very good one. But with regard to the Militia there were two points which he (Mr. Anderson) would like to call attention to. One was this—that the Militia was made a back door through which incapable officers were transferred into the Line without passing through any examination, by favouritism on the part of the commanding officer of a Militia regiment. That was a most improper way of admitting officers into the Army. The other point was with reference to the want of rifle practice amongst the Militia. The men were never taught to shoot at all, and he had proved that last time he addressed the House on the subject, by the respective quantities of ammunition used. It was all very well to say that the Militia were a very efficient body of men, and that they were fit to be put with the Line regiments in drill; but what on earth was the use of efficiency in drill if the men could not shoot? He considered it was a mistake also to give up the practice of requiring officers to pass through class firing. He cordially agreed with the proposals to grant deferred pay and to increase the pay of the men in the Guards. He thought it very proper that the deferred pay should be forfeited by deserters, but hoped that in cases of death it would be paid to the surviving relatives. As far as the Guards were concerned, he thought better men would be induced to join if the time taken up by sentry duty was reduced. With regard to systematic desertion, which consisted in men going from regiment to regiment, he was very glad to find that the right hon. Gentleman had thought it worth while to take into consideration the proposition he (Mr. Anderson) had thrown out—of marking of all men who entered the Army. He believed that would be a complete safeguard against repeated desertion—a much better safeguard, at all events, than the old practice of branding was, for the deserter could not be marked until he had been caught. Marking, if made general, would, no doubt, cease to be looked upon as a disgrace; but of course it would require to be optional for the officers and men now in the Army. He disapproved of the proposal to increase the Estimates and the number of men, and thought that the recruits who were required could have been got without those new and expensive arrangements. The right hon Gentleman could have kept 18 regiments up to their full strength—up even to 1,000 men strong—without increasing the Vote, or adding to the number of men. It could have been done by keeping some of the regiments at two-thirds, or even a half, their proper strength, though of these the full staff of officers and non-commissioned officers should be maintained. It would be very easy to get such regiments to a thoroughly efficient state in a short space of time. Then it was costly to have large barracks in different parts of the country, and the necessity for this would be obviated if the number of men actually in the ranks in the Army were not increased. These institutions were nothing more nor less than moral plague spots in the country, and it was absurd to say that they were necessary. It looked as if they were kept for the purpose of overawing the country, and of keeping it in subjection, and he was sure no one would say that was necessary.

Sir ALEXANDER GORDON said, it was all very well to speak of marking the men as an honour, but he thought the people of the country were too shrewd not to see the real object of the marking. It was because the soldiers were distrusted, and because it was wished to keep them from deserting from the regiments. If he might offer counsel to the right hon. Gentleman at the head of the Department, he should say—"Be very cautious before you take the step suggested." This was a matter in which the right hon. Gentleman would do well not to trust too much to the opinions of military men because they were biassed in favour of their profession. It was civilians who had no connection with the Army who were most competent to form a sound opinion on the subject. The marking had hitherto been a brand of ignominy, and he very much doubted whether the country would ever view it as a brand of honour. He was glad that the right hon. Gentleman had at length decided the vexed question of hospitals. It was more than 20 years since he (Sir Alexander Gordon) became an advocate of the general hospital system, and he knew what opposition had been offered to that in favour of the regimental system. The regimental system was all very well in time of peace, but in time of war it broke down. He was very glad, therefore, that the right hon. Gentleman had decided to hear no more complaints on the subject, and to carry out the general hospital system. He was less gratified, however, to find that the retiring age of medical officers had been fixed at 60. The work of those officers, being mainly administrative, could be as well performed by men at 60 as at 55, and by compelling them to retire at 60 we should be deprived of their great experience and ripe judgment. It was of no use endeavouring to popularize the service with the younger branches, while they made it unpopular with the older branches; and thus while increasing the non-Effective Vote they would deprive the country of the services of the most able and experienced men. There was one point in the right hon. Gentleman's statement on which he thought the House required more information, and that was with regard to the plan for a tactical station in the North of England. In 1872 the House of Commons voted £3,500,000 for carrying out the scheme of localization, and £300,000 of that sum was intended to be devoted to the formation of a tactical station in the North of England, partly because it was required for a corps to protect the North-eastern Coast. The right hon. Gentleman said he had been unable to find sufficient land for a tactical station, but that he had purchased a tract of land four miles distant from the town of York, and proposed out of the balance of the £300,000 to purchase 6,000 acres at Aldershot. He thought the House ought to be informed how much of the £300,000 had been applied to the one purpose, and how much to the other. In his opinion, the additional land at Aldershot would not compensate for the tactical station in the North, because the ground in the neighbourhood of Aldershot was so well known that manœuvres held there could not be of much practical utility. The mobilization scheme, which he believed was not yet generally understood, had been described as a scheme for the defence of the country from invasion. For his part he agreed with a statement made some time ago by the Commander-in-Chief, that a successful invasion of this country was almost impossible. At the same time, he thought it desirable that the subject should be placed in a little clearer light. By that scheme it was intended that England, should be prepared from whatever quarter an attack might come, and unless she were attacked by all the world, any scheme of defence that was applicable to all the world would be inappropriate. If England were at peace with France, and a war were to arise with Germany and Russia, the arrangements for the defence of the country would be different from what they would have been if they were at war with France and at peace with Russia and Germany. It was said that the soldier was to know by the scheme where he was to go; but it was because they were not all called to go to the front that he took exception to it. In the Channel Islands, which, if a war were to arise, would be a point of some interest to the Government, as it was a part of our dominions very likely to be attacked, one of the two regiments kept there during times of peace for the maintenance of order would be at once sent away to Petersfield, and the defence of these Islands would be left to the remaining regiment and the Militia, who had hardly ever been called out since the Peninsular War, except on holidays like the Queen's birthday. The defence of the Islands was in a marvellous condition, and he could not understand what the framer of the scheme had been thinking of. So also with troops at Shorncliffe, Brighton, and elsewhere on the South Coast which, in the event of a threatened invasion, were at once to march into the interior of the country. He also objected to the manner in which the scheme had been put forward. In fact, the scheme had appeared suddenly one morning in the

Army List without any name attached guaranteeing that it had been considered by a competent authority. He wished to point out that there was a great omission with regard to the colonies. The troops had been withdrawn and centred at home, although it was well-known and admitted that if England were attacked her colonies would be attacked also.

SIR GEORGE CAMPBELL said, the right hon. Gentleman the Secretary for War said he wished to give the present system of recruiting a fair trial. But what was the present system? He had asked the question several times, but he could get no answer. It was neither short service nor long service, but something between. If they looked to the letter of the recruiting regulations he approved it as far as it went. He had asked what effect had been given to the regulation by which men, after serving three years, were to pass into the Reserve, but he had got no satisfactory answer. Again, as to long service men, it appeared from the Report of the Inspector General of Recruiting about 2,000 had been recruited for the long service instead of 3,750. It was clear, therefore, that the regulations were not properly complied with, for they said that 25 per cent should be long service men, whilst they were in reality only 15 per cent. He trusted proper effect would be given to the regulations, for if they were carried out they would have a short service force from which the Reserve could be supplied and another which would be fitted for service in India. He feared the truth was that the right hon. Gentleman was trying to kill two birds with one stone, while the birds were so far apart that he would be apt not to succeed in hitting either of them. He might point to the opinion of a distinguished military authority, as set forth in a late article in a magazine, to show how very ineffectual the six years' system was likely to be for the purposes of our Reserve. Under it, it was argued, boys were enlisted before they were able to learn a trade, while they would be too old to learn one when they left the Army. As to the Militia, he was not disposed to go so far as his hon. Friend the Member for Hackney (Mr. J. Holms), and he thought the right course to pursue would be to amalgamate the Militia and the Reserve, taking men for short service and returning them when sufficiently drilled to the Reserve. He believed by that plan they would get the bone and sinew of the country for its defence. In order, on the other hand, to make provision for the requirements of India and our colonies, it was, in his opinion, absolutely necessary to maintain a professional Army. He entirely concurred with the writer of another article in a a monthly periodical, who also was a high military authority and a Member of that House, who said that our Indian Empire had not been saved at the time of great peril by raw soldiers, who had only seen two or three years' service, but by veterans, who had been inured to long service. It was with 800 such veterans that the father of the hon. and gallant Gentleman to whom he referred took Cawnpore, which a distinguished Crimean officer, General Wyndham, found himself unable to keep with six, or eight, or ten times the number of unseasoned troops. In order, therefore, to provide that efficient force, he thought that a soldier should serve at least six years in that country, and longer if possible. He thought that we should be running the risk of a great military disaster in India if the right hon. Gentleman were to determine to commit the safety of that country, not to long service men, but to young soldiers, who, as it were, would be continually coming and going. He was quite ready to admit the justice of the statement that the interests of England must not be considered to the sacrifice of those of India. India could, and in his opinion ought to pay for a sufficient number of long service men to preserve that Empire, and he hoped the right hon. Gentleman had some system by which long service soldiers might be sent to that country.

COLONEL NORTH hoped the right hon. Gentleman would lose no time in laying before the House the Report of the Royal Commission on Promotion and Retirement, as great discontent prevailed in the Service in consequence of nothing having been done, although the Commission had been sitting 14 months. He was sure the statement made by the right hon. Gentleman that the Commissioners for the Sale of Commissions would require £172,000 less than they did last year was a strong proof that officers would not retire until something more was known on that point. A great deal had been said about the disgraceful desertions in our Army; but there was a general opinion in the Service that they were in great part owing to the extraordinary decisions arrived at in the office of the Judge Advocate General, where the officers of the Army were not supported as they ought to be in maintaining discipline. It had been laid down that a man could not be tried as a deserter unless it could be proved that he intended to desert; but how could any one prove what a man's intention was? Another stranger case was this. A soldier in private clothes, passing under an assumed name, and having in his possession a ticket for America, was about to sail, and was brought on shore, and in that case it was ruled that he could not be tried as a deserter because he had in his pocket an unexpired furlough. Those decisions might possibly be in accordance with the law, but if so the law ought to be altered, as they undoubtedly threw considerable impediments in the way of preventing desertions. He therefore hoped that before the Mutiny Bill came on for discussion his right hon. Friend would direct his attention to this unsatisfactory state of things. Nearly 20 years had elapsed since he first suggested that officers of the Army who held Staff appointments should have money advanced to them to enable them to furnish their houses, such sums to be repaid with interest. The military authorities, he believed, did recommend that this should be done, but it was refused by the Treasury, and he thought it only fair that the saddle should be put on the right horse. In conclusion, he remarked that the suggestions of the last speaker respecting long service in India well deserved consideration.

Mr. MUNTZ agreed with the hon. Member for Kirkcaldy, that in India there ought to be an Army of an age adapted to the climate, for young troops were physically unfitted for duties required of them in that country, and the difficulty of obtaining troops there was greater than in any other part of the Empire. He would proceed to explain why he should vote against the Amendment of the hon. Member for South Durham (Mr. Pease). In 1872 he himself proposed a reduction of 10,000 men, as his hon. Friend had now done. That proposal was rejected, but in the succeeding year Lord Cardwell reduced the force by 8,500 men, and at present further reduction was inexpedient. The force had since consisted in round numbers of 126,000 men, and the right hon. Gentleman now proposed to add 3,500 men, in order to put 18 battalions in such a condition that at a fortnight's notice they could sail to any part of the world. He was far from saying that reductions in the military expenditure of the country were not both necessary and desirable; but he thought the time for fixing the nature and amount of such reductions would not arrive until the Secretary of State for War had a Reserve Force of 40,000 or 50,000 men, and the system on which the Reserve Force was based had been fully and satisfactorily tested. The system laid down by Lord Cardwell was the result of long and careful consideration, and he should deprecate any attempt to alter it until it had been submitted to a full and fair trial. Otherwise perpetual changes would so worry the Army that they would not know what they were about. What he argued against was any reduction in the number of men which would place the Army below a state of efficiency. He was not an alarmist. He had no fear of this country being attacked; but he could not lose sight of the fact that, in addition to guarding against possible attack—or difficulties arising in India—England had vast commercial interests in all parts of the world which required protection, and he could not, therefore, support any proposal for reducing the strength of the Army below the point at which the responsible Ministers of the Crown thought it should be maintained in order to protect the honour and interests of the Empire. He had observed with much pleasure the way in which the right hon. Gentleman at the head of the War Department had mastered the details of his office, and also the remarkable clearness with which he had laid his proposals before the Committee. Credit must be given to the Government for knowing what was requisite, and he could not, therefore, support a proposal to reduce the Vote by so large a number as 10,000 men.

Colonel KENNARD expressed his approval of the system of deferred pay, which had been tried some years ago in the Marines with great success. The Marine service was then exceedingly popular, and was able to get a number of recruits of the very best kind. He understood that the system had been discontinued, and that the popularity of the service had in consequence fallen away. He felt sure that the effect of the system of deferred pay would be to encourage long service and to diminish desertions. In America, where it had been tried with considerable success, the desertions last year had diminished to the extent of 43 per cent. The hon. Member for Stirling (Mr. Campbell-Bannerman) seemed to think that soldiers would not appreciate the advantages of deferred pay. To meet that difficulty, he would suggest that at the end of every year the amount due to the soldier should be made up, inserted in his pocket-ledger, and certified by the captain of his company. He had always thought that the Army laboured under a great disadvantage as compared with the Navy in the matter of training schools. He would, therefore, suggest that training schools might be made an excellent reserve from which to draw our non-commissioned officers and soldiers, and that those training schools might be fed from the reformatories. By training young persons in such schools, we might in a great measure get over the difficulty which had been experienced with respect to the supply of non-commissioned officers; and what training could do had been shown by the heroism exhibited by the boys at the burning of the *Goliath*. How much admiration the conduct of the boys had excited in that case had been shown by a graceful acknowledgment made by an Indian Prince, an act which was greatly appreciated in England.

Mr. DUNBAR said, that the East India Finance Committee of 1874, on which he served as a Member, directed its attention to the question of military service; and he believed that there was scarcely any Member of that Committee who did not think that, as a local Army could not be re-established, some kind of long service was required for India. Under the old East India Company recruiting was done at an average cost of £20 per head, whereas at present it was £100, and for two years' service that was a costly system. With regard to the Army Medical Department, the right hon. Gentleman the Secretary for War had stated the other night that he intended to give £1,000 to those who had served in that department for 10 years, to enable them to purchase a practice. That might do very well in England or Scotland, but purchasing a practice was a thing unknown in Ireland. At present, if an Irishman entered the medical department, he chose that pursuit for life; and if after 10 years' service he had to retire with £1,000, he would be placed at a disadvantage compared with those who had been in the medical schools at the same time and had settled down to practise at home. Such a man would be in much the same position as a barrister who had come from India after 10 years there, and then tried to get on at the Bar in this country. The right hon. Gentleman proposed to do something for those who were at the top and bottom, but would he not do something for those who were in the middle? There were 430 surgeon-majors, and he would ask the right hon. Gentleman what he would do for them. There was another point which he hoped the right hon. Gentleman would consider—What could be done for those who had been in the Service for, say, nine years? If anything could be done for that class, he believed it would tend very much to remove the dissatisfaction which existed in that department of the Service. The right hon. Gentleman said that, under the new system, six men would be promoted from the temporary to the permanent list: he should like to know whether the intention was to reduce the establishment, and maintain only such a number as would be kept up by six promotions every year. If steps were taken to clear away the block which now existed with regard to surgeon-majors much dissatisfaction would be removed.

Lord ELCHO congratulated his right hon. Friend on the great approval which his exposition of the Army Estimates had met with on every side of the House. He (Lord Elcho), unfortunately, was not able to be present last week, when they were introduced by his right hon. Friend; but looking to the candour, the frankness, and the courage which characterized it, he must say he entirely sympathized with that approval. There were many excellent points in it. If he ventured in anything to differ from his right hon. Friend it would not be in any unfriendly or captious spirit, and his right hon. Friend was the last man to object to any fair criticism. The first important matter to which he would refer was as to the Report of the Commission on Promotion and Retirement. It was not ready yet, but if rumour spoke correctly, it only awaited the signature of the Commissioners, and their signature only waited for the completion of certain actuarial calculations which had to be filled up. He thought, therefore, with a little pressure put on the actuaries the Report might be laid on the Table, signed by the Commissioners, in a short time. It was desirable that that should be done, because there was a block of promotion in the Army, and there was a natural dissatisfaction that the promise made by that House in 1871—that the flow of promotion should go on under the new system as under the old—had not been carried out. He hoped his right hon. Friend would press forward the Report, for every day's delay was a wrong to the officers and an injury to the Service. When it was produced the House of Commons and the country would know what this whistle of the Trevelyan family had cost them, and he believed it would be found to be about £1,000,000 a-year for ever, so that the change was dear at the money. The right hon. Gentleman had told them that 80 officers had been brought from half to full pay, but he did not tell them at what cost. He had also told them that the Yeomanry were to be simply Light Cavalry, and that their guns were to be done away with. He (Lord Elcho) regretted that the right hon. Gentleman did not agree to make them Rifle Cavalry; for, as such, they would be more useful than as Light Cavalry. He now came to a point on which he was sorry to be at issue with his right hon. Friend, and that was with regard to the new military decoration—the Order of the Broad Arrow, or Anderson's brand. It was seriously proposed by a Member of that House, and the Government proposed to consider it, that because there was a difficulty in dealing with a certain number of fraudulent deserters they should ask every man who served Her Majesty, from the Field-Marshal Commanding-in-Chief to the lowest drummer boy, to have stamped on his cuticle the same mark as that stamped on every military pigskin saddle. That seemed to him one of the most monstrous propositions possible. It was an absolute giving up of their system, for it showed that the system was so bad that they could not attract men into the Service, and that when they had got them they could not keep them. This new military Order, instead of flowing from the fountain of honour, the Queen, was to flow from the fountain of dishonour, the fraudulent deserter. If this new Order were adopted, he hoped there would be, as in the case of the Bath, a civil branch, and that the right hon. Gentleman and his Colleagues would set a good example by submitting their cuticles to this honourable distinction, and that they would be followed by the right hon. Gentlemen opposite now in the Reserve and anxiously waiting for their deferred pay. There were matters in the speech of his right hon. Friend which all must agree in praising without qualification. There was the purchase of the ground at Aldershot, and there was the sum to be spent in stores. Incidentally, in connection with stores, a discussion had been raised with reference to the Martini-Henry rifle, and he wished to say that he had been a Member of the second Committee which sat on that subject. When he entered the Committee he was hostile to the arm; but when he knew the testing experiments to which it had been subjected before it was adopted by the first Committee, he was convinced that there must have been some fault in the subsequent manufacture of the arm. He should like to know what stores of small arms there ought to be, and what we actually had in store. He also wanted to know how Gibraltar and Malta were off for stores if they had to stand a siege. They must all agree as to the wisdom of what was to be done for the non-commissioned officers. He also approved of raising 18 regiments to 820 men, and so with respect to the calling out of two corps. He thought it eminently desirable that we should test the existence of the Reserves to see whether they would come out. He now came to what was called the mobilization scheme. A few officers said the mobilization scheme was mere waste paper. But it had been prepared by most able officers, who had considered every detail as far as they had materials. Therefore, he thought we ought to be extremely grateful to the officers who prepared it, and grateful to the Government for having the courage to bring it forward. It required courage to do so, because it exposed the deficiencies of the existing system, comparing that scheme with the number of men and materials on the Estimates. He had made out that if we had to put our existing force on a war footing, making allowance for Army Hospital Corps, &c., we should require, in addition to what we had, 105,000 men and 58,000 horses. The horses could be procured without much difficulty; it was not so easy to get the men. We had 342 guns in the Artillery, but we required a great many more, say, 800, to complete the requisite number. There were two ways in which our Artillery Force might be increased at little or no expense. In the first place, the system of employing the powerful horses engaged in agricultural work might be extended, the men being obtained in the shape of volunteers, and the horses being ready harnessed and fit for employment at little or no cost. That was tried in a Volunteer review, and it was found that they could do 30 miles a-day. That system might be extended throughout the country *ad infinitum.* An enormous Artillery Force could be got up in that way. This was the only country in Europe which in time of peace had its batteries complete. We had plenty of Artillery drivers, and with one waggon to each battery we could double our effective force. But the main difficulty was the question how to keep up our Army. His right hon. Friend proposed to do that by various means. He proposed to give increased pay to the Guards, to which no one could object, for if a good article was wanted, they must give a good price for it. He proposed also that furlough pay should be increased to men on furlough; and, lastly, came the question of deferred pay. He (Lord Elcho) had always thought that a pension was preferable to deferred pay; but the giving of deferred pay appeared to be well worth trying, and he thought his right hon. Friend had done wisely in testing it. His right hon. Friend said when once we had given men money we could not get it back from the men to whom we had engaged to pay it. But if the plan did not answer, deferred pay could be cut off from those who came in afterwards, provided we got them on different terms. His right hon. Friend had proposed to give to a man in the Guards 1*d.* a-day more than to a Linesman, because in stature, &c., a Guardsman was a more valuable article than a Linesman. His right hon. Friend should carry downwards that principle of payment, according to the value of the article. Let a line be drawn at 20 years of age for the purpose of testing the value of a man, and do not give deferred pay to a man below 20, or whose *physique,* in the opinion of a military surgeon, was not equal to that of a full-grown man at 20. As to the age of recruits, his right hon. Friend said we could not get recruits enough if we limited the age of recruits to 20 years. Nobody had proposed that that should be done. But this was urged on the House last Session—that recruits should not be sent abroad until they were grown men. Notwithstanding the promise that was given on that subject, he found that 1,144 men under 20 years of age had been sent to India. He earnestly hoped that we should have an improvement, not only as to the number of our men, but as to their age and *physique,* for on looking through the last statistics respecting the Army he found that if the recruits were measured round the chest in the same manner as the police, out of 178,276 men; only 39,353 would be accepted by the police, and out of 112,424 infantry only 23,370 would be so accepted. Although the present Government had already done something, he thought that more should be done in giving employment in the Civil Service to soldiers. If the War Office Department were open to soldiers, it would be a great inducement to men to enter the Army. We could have much more work done and at much less cost than at present in the War Department if soldiers and officers were employed there. He was greatly disappointed by his right hon. Friend not having completely grappled with the question of the Militia. An hon. Member had been going about the country during the last Autumn, and had done a great deal of good in showing our military deficiencies, but he suggested that the Militia should be swept away. He might as well talk of sweeping away the Established Church, trial by jury, or any other of our institutions. Englishmen when they reformed their institutions were not in the habit of knocking them down like a pack of cards. No one knew so well as the Secretary for

War that our Militia was the foundation of our military system; but, nevertheless, he had declined to deal with that branch of the Service this year. The subject was, doubtless, a difficult one, and the right hon. Gentleman had adopted the motto, *Festina lente* with regard to it, and would probably deal with it next year. And what was the state of this back-bone of our military system? Its total force, including the permanent Staff, was 107,114. Of that number, 27,213 belonged to the Militia Reserve, who in time of war would have to go into the Regular Army; 18,717 were under 19 years of age, and, therefore, were unfit for the hardships of warfare; and 10,000 were absent without leave at the last training, and would. therefore, not be likely to turn up when their services were required in the field. This left the real force of the Militia at 70,755 only, which showed that the Force was in a most unsatisfactory condition, and that the backbone of our military system was almost invertebrate. This view of the state of affairs was amply borne out by the Report of the Inspector of Recruiting, whom he congratulated upon his clear, candid statements, in which he pointed out that only 18,000 men joined the Service in 1875, whereas 20,000 joined it in the previous year. That gallant officer further considered the Militia to be in a very unsatisfactory position, and pointed out that that Force was much below the authorized strength, that the recruits were enrolled at an earlier age than was contemplated in the regulations, and that it was necessary to alter the system on which the Militia was raised, so as to ensure its efficiency. Rumour stated that the right hon. Gentleman was not himself satisfied with the state of the Militia, and that in November last there was a serious intention on his part to have effected considerable alterations in its conditions. The fence, however, was an ugly one to deal with, and therefore, although the right hon. Gentleman had put in the spurs to try to get over it, he was still on the wrong side of the hedge. He, however, felt satisfied that the right hon. Gentleman would not be deterred from doing his duty by the Army, of which he was the head, by any fear of unpopularity. The spirit which had recently been evoked in this country by the conduct of the Government in reference to the Suez Canal must convince any Minister that he would be fully supported in doing what was necessary to make this nation secure both at home and in her Colonies; and we must all feel that nothing added so much as a strong England to the security of the peace of Europe.

GENERAL SIR GEORGE BALFOUR remarked that it was only due to the right hon. Gentleman the Secretary for War that he should not be held responsible for the increase of the Army Estimates for the present year, inasmuch as that increase was the inevitable result of the changes which had been introduced into the constitution of the Army by his Predecessor in office, whose system he had endeavoured loyally and faithfully to carry out. He therefore hoped the right hon. Gentleman whilst so acting would give his close attention to those economical measures which would bring the expenditure under the amount which the country would bear. He earnestly urged the attention of the Committee to the speech on the Army Estimates of Sir John Pakington (now Lord Hampton.) In 1868 Sir John Pakington, on introducing the Army Estimates on 23rd March of that year, called attention to the vast expenditure which he was obliged to propose—£13,699,466—which he described as an enormous sum. But this year the amount was still larger, for it amounted to £13,989,500, being the net amount when, as in Sir John Pakington's time, all items not properly chargeable against the Army were deducted. This sum was however not to be compared with that in the time of Sir John Pakington, for the cost of the surveys had been transferred from the Army Estimates to the Civil Charges, and apparently the expenses of depôts borne in 1868 for India were not now altogether charged on the Army. When the heavy charge for retirement and for ensuring a flow of promotion became a necessity, and probably at an early date, then next year no doubt, there would be a considerable addition to some of the items, and it was not likely the new system now proposed could be carried out without an increase of some £2,000,000. He believed that there would be a loud cry for a diminution of this enormous expenditure, and unless timely measures were adopted to cut down useless and unnecessary charges the end would be that the nation would insist on reductions that would be injurious to the efficiency of the Army. With respect to the question of the quantity of stores at Gibraltar and Malta, he believed that great endeavours had been made to keep those places well supplied. He observed that there was in these Estimates a very large expenditure upon stores for the Navy. It would be far better that the Navy should pay for its own stores and the Army for its own transport. As it was, there was extravagance on both sides. This question had been mooted by General Peel in his speech on 7th March, 1867, and in the following year by Sir John Pakington in his speech on 23rd March, 1868. Both had urged a separation of these charges, and Sir John Pakington whilst at the War Office had taken an active interest in the question. It was surely owing to a change in the Administration that the separation had not been effected. An examination of the large sums borne by the Army for the naval guns and stores of the Navy would show the great burden borne by the Army for such supplies, whereas the charges for the vessels kept up by the Navy for Army transports did not exceed one third of the amount borne by the Army Estimates. The proposal to increase the pay of the non-commissioned officers was no doubt a wise one; but a better plan was that adopted in India, of creating warrant officers, who should rank above the non-commissioned officers, with some additional pay and prospects. All these measures were for the purpose of obtaining men for recruiting the Army, but one unfailing obstacle to recruiting in the Regular Forces was the competition between the Army and the Militia. As to the mobilization scheme, it was very nearly a copy of the German system; and, like most English adaptations of foreign originals, it was planned on a most extravagant scale. An examination of the tables of the Army German Corps with the table of the English Corps, would startle the people of this country with the enormous staff of Generals and other officers in contrast with those ranks in the German Corps. He earnestly deprecated this waste, and urged that the organization of the whole Service should be closely examined into, with a view to cut off those superfluities which everywhere so unwisely existed.

MR. ONSLOW took exception to the present system of billeting soldiers in passing through towns. During the last five years 9,489 men of the Regular troops and 9,438 horses passed through the borough of Guildford. He could assure the Secretary for War that there would not be room for a single man or horse thus passing through in the barracks which had been built in that town. The result would be, if something were not done, that the billeting system would be carried out as extensively in the future as at present. It often happened that a horse was billeted on a public-house which had no accommodation in the rear, and the publican was obliged to find some other place for the animal, for which he had to pay, at a loss to himself, the sum allowed for a horse being only 6*d* a-day. That was inadequate, and the entire system called for alteration. With respect to the soldier's deferred pay, he hoped to hear from the right hon. Gentleman that the soldier's friends, in case of his death, should be entitled to receive it. Branding the soldier had been referred to, but he hoped the day would not come when such a mark would be placed upon the British soldier. He thought it would have the effect of preventing the men from enlisting. He thought the inducement held out to old soldiers to re-enlist and join the Reserve too small, and he might state in the case of Militiamen that many of them declined to re-enlist because the inducement offered was too small. He therefore hoped the Secretary for War would be able soon, if not this year, to increase the pay of the Militia, and thereby induce good men to enlist in that service. Before Lord Cardwell held the office of Secretary for War, the Militia bounty amounted to £6, but the noble Lord added a year to the time of service, and did not increase the bounty. This the men felt to be a grievance, and they said—"We have to put in a year, and are docked of £1." He believed that if a little more inducement were held out, old soldiers, who now held aloof from the Militia, would be drawn to its ranks—greatly to the benefit of that branch of the Service. He hoped also that when the Militia Reserve was drafted off to the Regular Army, as proposed, some means would be taken to keep up the Militia regiments at their proper strength. Some remarks had been hazarded by an hon. Member near him on the advisability of making some change in the period of reliefs in India, so that they might not arrive in this country from a hot climate in the cold weather as at present; but the fact was, that if they marched through India to the coast, except in the cold season, the amount of illness and the number of deaths would be twenty-fold. On the whole, he believed the Army would be well satisfied with the Government proposals, and that under the increased inducements offered, a large number of recruits would come in.

Mr. SHAW LEFEVRE desired to draw attention to the increased charge which would result from the proposal as to deferred pay. The right hon. Gentleman told the House the other day that the charge for the present year would amount to £13,000, but that it would be more in future years, but he did not state what it would ultimately amount to. The right hon. Gentleman had intended to lay upon the Table that evening a table which would throw light on the subject, but unfortunately it was not in such a condition that he could present it. He hoped the right hon. Gentleman would be in a position to give the Committee an idea as to what the ultimate charge would be. He did not like to say he was opposed to the proposal, but he thought the Committee ought not to accept it without serious consideration. In the absence of an estimate he had endeavoured to calculate what the charge would be and he found that 2*d.* a-day to be paid to 160,000 rank and file would amount to £480,000, of which over £150,000 would have to be borne by India. There would be the Reserve men in addition, who were to receive additional pay, so that while the charge would be but £13,000 for the year, ultimately, and perhaps in 10 or 12 years, it would amount to no less than £500,000. He wished to ask the right hon. Gentleman whether the representatives of deceased soldiers would be entitled to the deferred pay due to them at the time of their death; and what would be the effect upon men who entered upon long service—would they be entitled to the 2*d.* a-day in addition to their pensions? [Mr. Gathorne Hardy: No.] Well, these matters ought to be made clear to the Committee. They ought to keep clearly before them the effect of the proposal—namely, that though they were now asked for £13,000 only, eventually the charge would amount to about £500,000. What was now done for the Army would, he presumed, be also necessary for the Navy and Marines before very long.

Mr. GATHORNE HARDY said, that so far from wishing the House to vote under any disguise, those who had done him the honour to listen to his statement on Thursday would remember that so far from understating what the charge would be, he overstated it when he said that the deferred pay would cost £17,000 this year, and in the result would be £225,000, while in the year 1890 it would rise to about £325,000. Probably when these sums came to be carefully considered there would be some variation, according to the number of men voted in each year. He agreed that it was desirable that the Report of the Commission on Promotion and Retirement should be before the House as soon as possible. It was true it had not yet been signed; but immediately after it had been placed before Her Majesty it would be laid upon the Table. The conclusions of the Commission would very much depend on the calculations of the actuaries, which, he understood, it would take three months to complete. With respect to the pension after 12 years, he had had an actuarial calculation made. He found that the pension after 12 years to 21 years was equivalent to 6½*d.* a-day, as against the deferred pay of 2*d.*, and that was a gain so large that it seemed unreasonable to give those men deferred pay in addition. With regard to the question as to billeting, it must be kept up for the Regular troops, because it was never known in what direction they would have to go, and it was impossible to make permanent engagements. He was anxious not to put undue pressure on those upon whom the men were billeted; but the billet pay had been increased of late years, and where there was a constant flow of troops he was told that if anyone would undertake it as a speculation to accommodate them, it might be made to pay. He was still strongly of opinion that it would be well to have training barracks for the Militia, as they were unaccustomed to live under canvas and in bad weather met with great difficulties in the way of keeping their clothes dry, cleanliness, and other matters. Until barracks were built the system of billeting for the Militia must, therefore, be kept up here and there. The men received money enough to obtain lodgings in many parts of the town, which were practically as good as those that they got at the public-houses. With regard to the alleged falling-off in the Militia, he found that the enlistments in 1875 were 29,961; in 1874, 29,831, and in 1873, 25,361. So that, notwithstanding all difficulties, recruiting for the Militia was kept up pretty well, although there was a slight falling-off in the re-enrolment owing, as he thought, to the change of bounty which had not been properly understood. The employment of a greater number of boys had been pressed upon him, and he had given a great deal of attention to this subject. When, however, he had got a young man of 18 he was told by the noble Lord (Lord Elcho) and others that he ought not to pay him as a soldier; and if he had to pay £60 for two years previous training for a lad of 18, and should have to meet his noble Friend in conflict as to whether that lad was a soldier, the question became more difficult. The boys, no doubt, would be well trained, and would in time make good non-commissioned officers, but only a certain number could be used up in that way, and to set up training schools for boys would involve so great an expense that he was by no means sure it would not be far more expensive than the present system. He had been told by the hon. and gallant Gentleman opposite (Sir George Balfour) that his mobilization scheme had been copied from the German system, while the hon. Member for Hackney (Mr. J. Holms) said that the reverse was the case, and as the two hon. Gentlemen sat so near together, he might leave the point in dispute to be settled in conversation between them. The hon. Member for Glasgow (Mr. Anderson) seemed to think that he had a proposal for immediately bringing the Ballot into force for the Militia; but, in fact, he was one of those who looked upon the Ballot as the last resource; but if the voluntary system for the Militia failed, the Ballot would be, he thought, a most justifiable thing to adopt. The Militia were not sent out of the United Kingdom, and as they would only be called out to defend their own homes there would not be the least injustice in calling upon every man of proper age to take his chance of the Ballot. He would admit that the present system of Ballot was unfair, unequal, and difficult to work, and long before we might want it it would be well to set it in proper order; and although he could not hope to find sufficient time to deal with the matter during the present Session, yet it should be well weighed in order to see what defects existed and how the Ballot could be adapted for an emergency should it ever arise. Then came the question raised by his noble Friend the Member for Haddingtonshire (Lord Elcho) of the encouragement to be given to the Army by offering places in the Civil Service to men of good character. Now, he had stated the other night that it was an illusion to hold out to the Army that there were so many places as it was sometimes represented at the disposal of the Civil Service which could be reserved for them. He was quite willing that this question should be tested before a Select Committee, and if the hon. and gallant Member for Sunderland (Sir Henry Havelock), who had a Motion on the subject, would change it so as to move for a Committee he should be willing to agree to it. Another hon. Member had referred to the supplies at Malta and Gibraltar. He could not quite understand whether stores or food were meant. With regard to food, two questions arose—a food supply for the garrison and one for the inhabitants. As to the duty of Government to supply food for the garrison there could be no doubt, and the time might come when it would be necessary to supply the inhabitants. The question was, however, whether it was the duty of the Government to go to the enormous cost of keeping stores for the latter purpose. This was a question of importance, because the time might come when the inhabitants of the place might be exposed to the danger of dying of starvation, but that could not be if we had the command of the sea. At the same time, it was a vast expense to keep up stores at a place like Malta, and the matter was one which had to be weighed along with fifty others. The questions that had been raised with respect to fortifications were too large to be discussed on the Estimates. Nor was that of coaling stations less complex; for instance, if the Suez Canal were stopped up by accident or warlike measures, it would be necessary to send troops round by the Cape, and Simon's Bay would then become important. There was a coaling station at Jamaica; and, indeed, all over the world there were stations the importance of which would be great in the event of certain possible contingencies. It would be unjustifiable to cast the whole expenditure in these cases on the Estimates of the year; it ought rather to be treated as we had treated the expenditure for fortifications and for the brigade depôts. In giving the figures as to the measurement of the recruits, he quoted, not from one Paper, but from two Papers, having, as he stated at the time, when he was furnished with the averages, asked for the maximum and the minimum in each case—except those in which it was fixed—and these extremes he read to the Committee. As to the age of recruits, he protested against his noble Friend taking only men of 20 and saying that they would not be fit for their work until they were 21. He believed the Army would contain as many men of the age of 20 this year as it did last; and in Germany they were taken at the age of 19.

Lord ELCHO said, he had no objection to their being taken under the age of 20, so long as they were not reckoned as effectives until they reached the age of 20.

Mr. GATHORNE HARDY said, he could not get younger men at less pay, and he did not mean to change the system of recruiting, under which selection had been carried so far last year that only 18,000 out of 27,000 who offered themselves had been enlisted. As to the deficiencies of Army Corps, they were not meant to be filled up to the strength of Army Corps abroad; they were only meant to be *cadres*. Of Artillery, we had 63 batteries manned and horsed—with 378 guns, and we had in reserve 43 batteries, of course not manned and horsed—with 258 guns, so that we had 106 batteries with 636 guns, which would be in readiness by the beginning of next year. [Colonel Mure: Are they fully manned?] The guns he had referred to as such were manned and horsed; and he need not say our Artillery was horsed beyond that of any other Power. He had not attempted to keep the plan of mobilization secret because he should have occupied an unpleasant position in being continually asked Questions about it. For two Sessions the hon. Member for the Kirkcaldy Burghs (Sir George Campbell) had repeated Questions the answers to which he could not understand, and he had reiterated in fifty shapes the speech he had made that night. He could scarcely understand how the hon. Member had misapprehended him so far, for what he had said was, that he was doing the best he could to obtain men who would serve five years in India. He had had a Departmental Committee examining officers, and among them that great authority upon the subject, for whom he had a great respect in his place, Lord Sandhurst; but neither his reputation nor that of his article in *The Edinburgh Review* would induce him to accept the noble Lord as his guide in this matter. The article in the Review was a theoretical one. No doubt nothing could be more advisable than to exercise men three years in the Militia and then draft them into the Army if you could do it. But it could not be done. If the Militia would do it they would please him excessively and improve the Army; but he could not compel them to do it. The proposition in the article would not bear argument; and with great respect for the noble Lord, who was to take part in a public meeting to-day—Tuesday—on the subject of the Knightsbridge Barracks, he must object to his Lordship setting himself up as an infallible authority on either question. With regard to the three years' enlistment, it was never intended that the War Department should take the initiative, but that only on the recommendation of commanding officers should these men be transferred to the Reserve. If there was a real steady flow of recruits, such as would keep the Army up to the full amount, with a certain overflow, then it might be easy to pass three years' men into the Reserve; but, if they could not keep up their Regular forces without retaining the men longer, then they could not wonder if commanding officers were not ready to allow those who had served only three years to pass into the Reserve. But no impediments were offered to that by him or by any one in the War Department. He had been asked by the noble Lord the Member for Haddingtonshire about the number of small arms which they had. Of the Martini-Henry this year there would be 316,000, and of Sniders 240,000. Then with regard to guns for fortifications, 30 38-ton guns would, he thought, be placed in position in the course of this year. He should have wished to place a few more, if the Estimates were not so high; but under present circumstances, he would allow that wish to remain in abeyance. There was a great number of new fortifications, the gradual armament of which would be a work of considerable expense, and if artillerists went on demanding heavier guns, he was afraid that would be a matter for his successors to deal with, because he assumed that the country would desire to arm its forts with the best possible ordnance. With respect to Major Moncrieff's system, Major Moncrieff had really completed the work he had to do at the War Office, and had been paid the sum that was agreed upon at the conclusion of his services. Nothing more ingenious could be imagined than that officer's system, which had been carefully examined and found very useful in many ways; but it was not applicable in all cases. He did not know that Major Moncrieff had any complaint, because he had received the terms on which he was engaged. An hon. Friend behind him had made some remarks about desertion, and the noble Lord had requested him to submit to be stamped in his own person as belonging to Her Majesty's service. Well, if any good would be obtained for the country by it, he would submit to that with the greatest pleasure. He was not the least ashamed of serving Her Majesty or afraid of the indignity, if such it was, which would be put upon him in that shape. The noble Lord went too far in speaking of conclusions having been come to on that subject, because there had been no such conclusion. The hon. Member for Glasgow, in view of these frequent desertions, had suggested a thing which might be applied without detriment to anybody—namely, that as every recruit was vaccinated, the operation should be performed in a particular way to show that it had been done in the Army. The hon. Member for Glasgow said that all men at present in the Army ought to be exempted from the process unless they liked it, and therefore no injury would be done to anyone. His hon. and gallant Friend the Member for Oxfordshire (Colonel North) wanted some alteration of the law respecting desertion, and said it was impossible to prove a man's intention to desert. Now, his hon. and gallant Friend was an excellent magistrate, and no doubt in his own county he had known many a man to be convicted whose intentions had been proved by his acts and his words. If a man broke open a place without actually stealing anything from it, there might be circumstances in the case which would lead a jury to convict him of intending to steal. And so if a man belonging to the Army was found to have taken a passage to America and to have gone off, there would be no real difficulty in proving that it was his intention to desert. Yet it might be necessary, though he did not say that it was so, to make some slight alteration in the Mutiny Act as to soldiers attempting to desert. The hon. and learned Member for New Ross (Mr. Dunbar) had asked him a question about Irish surgeons in the Army. Now he had always thought that Irish surgeons and English surgeons were the same until the hon. and learned Gentleman told him there was a difference between them. The Irish surgeons, the hon. and learned Gentleman said, never wanted to leave, and then he rather inconsistently asked him what provision he would make for those who wished to retire after 10 years' service? There were a great many Irish surgeons in the Army. In fact, if it had not been for the supply of surgeons from the Irish schools, he did not know how they could have got on in the medical department of the Service. One might, however, he thought, notwithstanding what the hon. and learned Gentleman said, purchase a practice in Ireland, for when a man had a property in his tenant right he could not understand how it was that the goodwill of a business should not find as ready a sale in Ireland as in any other part of the United Kingdom. The hon. and learned Gentleman did not know all the property his countrymen possessed. He really could not dwell on a difficulty of that sort; but if Irish surgeons, as he declared, did not wish to retire, and were selected on account of their ability, to go on for promotion, we should soon have a long roll of the highest officers in the department speaking with a most elegant brogue. His belief, however, was that Irish surgeons would very willingly pocket their money at the end of 10 years, and lay it out as profitably as their English fellow-officers, if they were not selected to remain in the Service, as he had no doubt many of them would be. As for the Volunteer adjutants their position was being very considerably improved, and they were relieved of the necessity of recruiting, at which they had no great opportunity of doing much. In the matter of precedence, they would, of course, follow their rank, but he believed they were never put in command of a regiment. The hon. Member for Glasgow had complained that the Militia were made a back-door for incapable officers to get into the Army. Well, it was not in his time that that connection between the Militia and the Army had been established. The relations existing between the two Forces might be open to objection; but he did not see how any incapable officers could pass from the one to the other, as had been described. In the first place, Militia officers before entering the Army required to have two years' training and to pass an examination, which was much harder now than formerly, and which was being made harder by degrees. The examination no doubt was held at a later age than for the Army; but then there was the advantage of the two years' training and of whatever extra pains the officer might take to qualify himself for his position. He was not aware that any incapable officers had got into the Army in this way, although some who had failed in the earlier examination had succeeded in the second. As for shooting, it was quite true that a month's training was not sufficient to make the Militia very expert in that; but animated as they were with the spirit of Englishmen, it was hardly likely Militiamen would have a rifle in their hands for a month without learning to use it with some effect. Under existing circumstances it was perhaps impossible to give them all the facilities for learning to shoot that might be desirable; but he would take care to call the attention of the Inspector General of the Auxiliary Forces to the subject in order to see how far the present system might be improved. The question of sentinel duty had been raised. Well, it was necessary that all regiments should have experience of sentinel duty, and although he was prepared to make the soldier's life as agreeable as possible, it was important that the men should be well tested in time of peace. He hoped to give the Guards a little relief. Hitherto they had gone from one place to another where there was a great deal of this duty to be performed, but it was now proposed to send them to Shorncliffe or elsewhere in the country where they would have a period of rest. The hon. Member for Glasgow had regretted that there was going to be an increase in the number of men; but that subject he (Mr. Hardy) had already gone into so fully, that he would only now observe that regiments to be properly worked must have a certain amount of solidity, and that they might be reduced to too much of a skeleton form for practical purposes. The new Member for Aberdeenshire (Sir Alexander Gordon) had raised several objections to proposals before the House. He (Mr. Hardy) was very glad he was going to have the benefit of the hon. and gallant Member's criticism on military questions, drawn as it would be from practical experience. The points to which the hon. and gallant Member had objected, however, happened just to be those with which he was, perhaps, not practically acquainted. As to the compulsory retirement of medical officers, it was no doubt true that a man might be fit for something at 60; but there were other considerations to be borne in mind. There were other people who particularly wanted to step into their shoes. He had a great consideration for those gentlemen of 60, many of whom no doubt were perfectly fit for service, but there was a multitude of aspirants to their places, and promotion was the soul of the Service. Without promotion there would be no hope, without hope no emulation, and without emulation the Service would be dead and apathetic. He was, therefore, most anxious to assist the promotion of the medical officers. He denied that he had forgotten the non-Effective service; he had said he could not deal with a reduction of that service. His hon. and gallant Friend (Sir Alexander Gordon) had referred to the tactical station in the North; but he could assure him that if he could look into all the facts, he would see that a right conclusion had been come to on the subject. Great advantages would be derived from their being at York. The stores would all be in the neighbourhood of York, and there would be excellent ground there, if not for manœuvres, for training. They would have at least

1,115 acres, and Artillery, Cavalry, and Infantry would have an opportunity of training together. The Militia called upon to take part in the training would also derive great advantages. With respect to Aldershot he had looked out for more ground there, and he hoped to get between 6,000 and 7,000 acres. This would enable them to have much more extensive manœuvres, without putting anyone to inconvenience. His hon. Friend spoke of disguise; but he (Mr. Hardy) did not wish to do anything in the dark. That was the last thing he should attempt to do in the House. With respect to mobilization, the steps they had taken would enable them in case the pressure was on the colonies and not on England to send troops to the colonies; and if the pressure was on England and not on the colonies, they should be able to keep the troops at home. A great deal depended on the Fleet in the first instance. He did not forget that there were accidents —accidents which were quite unforseen; and he must not suppose the Fleet to be always in the exact place in which it might be most needed. He hoped that this country would keep command of the seas. Even Mr. Cobden said that the English Navy ought to be three times as strong as any Continental Navy. It ought to be sufficient to afford us security under all ordinary circumstances; but extraordinary circumstances might happen, and it would be madness to be taken unprovided in such a contingency. He should be the last person in the world to depreciate the Navy. His object was that under any possible circumstances they should be ready as far as they possibly could, without the country being put to unreasonable expense, to meet circumstances as they arose. With respect to the enormous Army which they had, let him call attention to what their neighbours had. We had in this country about 90,000 soldiers; and in the colonies about 24,000. They had an Army Reserve of 6,000—that was, in round numbers, they had available from 120,000 to 130,000 trained men. France had, as its peace establishment (without looking at her territorial reserve), 450,000, and a war establishment of 1,100,000 men. Germany had a peace establishment of 400,000, and a war establishment of 1,250,000 men—the Landsturm not included. Russia in Europe had a peace establishment of 846,000, and a war establishment of 1,250,000, irregular troops not included. Austria had a peace establishment of 271,451, and a war establishment of 776,487, not including the reserve. Italy had a peace establishment of 220,441 men, and a war establishment of 456,330 men. Belgium —a little country of 5,000,000 inhabitants—had a peace establishment of 48,000, and in war 104,000 men. Looking at these facts, and remembering the enormous interests which were at stake in this country, he did not think he was asking for anything exorbitant in the number of men comprised in the Vote now under discussion; and he could not believe that after the Committee had declared earlier in the evening that it would not reduce the proposed expenditure, it would now take the nibbling course of striking off 10,000 men from our Regular Forces at the bidding of his hon. Friend.

Mr. PEASE said, that as far as he was personally concerned, he had no wish to put the House to the trouble of a division.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £4,722,200, Pay and Allowances, &c. of Land Forces.

Mr. GOSCHEN asked what would be the effect of the deferred pay on the Estimates of the next three or four years?

Mr. GATHORNE HARDY said, he had already stated that the ultimate sum would be £325,000. The rise in the Estimates, however, would be very gradual, and in the first few years would not, probably, exceed £50,000 or £60,000 a-year.

Mr. GOSCHEN asked whether the nation did not become liable to those who remained in the Force to the extent of £3 a-year, so that, supposing there were 160,000 men, we should be liable to £480,000 less what was forfeited by deserters and others or recouped by India?

Mr. GATHORNE HARDY said, the liability attached to the nation, as the right hon. Gentleman had stated, but the money would not be paid until it became actually due. Meanwhile it would be recorded in the soldier's small book, so that he and his officers would know the amount of his claim.

Colonel HAYTER agreed with the hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman) that the best way to furnish a stimulus to recruiting would be to give immediate, and not deferred, pay. The enormous proportion of desertions from the Royal Artillery might, perhaps, be counteracted by giving that force an additional 1*d.* a-day. As to the deficiency in the Foot Guards, that might be easily accounted for. The daily average of sick in the troops generally was 37·47 per 1,000; in Infantry regiments it was 31·98, in the Foot Guards 45·20. This high average in the Guards was entirely caused by the enormous sentry duty to which they were exposed, and he was glad that the right hon. Gentleman intended to make some reduction of duty in the West End.

Captain NOLAN said, as the Secretary for War had instituted a new mobilization scheme, and the pay and allowances of the Staff which would in consequence be necessary would cost the country £400,000 a-year, it was important to know how the Staff was appointed. Some 15 years ago a Staff College was instituted, and it was declared that only officers who had been distinguished in the field or who had passed through that college would in future be eligible for Staff appointments. Instead of that principle being carried out, the great bulk of the Staff appointments were given to whomsoever the Horse Guards chose to select. Thus only 23 appointments out of 180 had been given to those who had passed through the Staff College, and these were the lowest appointments on the Staff.

Mr. GATHORNE HARDY said, the Queen's Regulations did not lay down that the Staff College should have an absolute right to these appointments, but only to a portion of them. He thought very great consideration should be given to the claims of those who had passed the examinations; and to a certain extent that had been done. As far as he was concerned, he should approve of giving those appointments requiring intelligence to intelligent men.

Mr. MUNTZ thought that if those officers in the Staff College did not receive the rewards which were supposed to be incidental to their appointment, they had better be quit of it altogether.

Sir WALTER BARTTELOT contended that if the Staff College was worth anything to the country it ought to be fully encouraged. As he understood, the great object was to get the best men to go through the Staff College examination; but if only 23 out of 180 officers who had gone through all the labour of preparing for the examination, and had given up their regimental service for the purpose, received places, then he thought a gross injustice was inflicted upon them.

Vote *agreed to.*

(3.) £49,200, Divine Service.

(4.) £27,900, Administration of Military Law.

(5.) £262,400, Medical Establishments.

Mr. WARD said, he would take advantage of that occasion to say that the proposal of the Government for the improvement of the position of medical men in the Army was a mere temporary scheme, which was entirely due to the fact that they could not, as things stood, induce competent candidates to offer themselves for the service. He complained that they did nothing for those who had done all the hard work, and only held out fresh inducements to the new men.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £672,700, be granted to Her Majesty, to defray the Charge for Militia Pay and Allowances, which will come in course of payment from the 1st day of April 1876 to the 31st day of March 1877, inclusive."

Colonel HAYTER moved that, as there was likely to be some discussion on the details of this proposal, Progress should be reported.

Motion *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee also report Progress; to sit again upon *Wednesday.*

TELEGRAPHS (MONEY) BILL—[Bill 90.]

(*Mr. Raikes, Lord John Manners, Mr. William Henry Smith.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord John Manners.*)

MR. GOSCHEN said, the House ought to have full explanation of the purposes for which the £500,000 proposed to be raised was required. It was desirable they should know whether the money was to be exclusively applied in payment of the purchase of railway lines of telegraph, or for the amount agreed upon some time ago, together with the interest since accrued?

MR. GOLDSMID said, he wanted to ask three questions—namely, 1. What the total capital expenditure on the telegraphs, up to the present time had been; 2, how much it was thought would still have to be paid to close the capital account as far as the agreements of 1868-70 were concerned; 3, with how many railway companies the price of the purchase of their interest in the lines of telegraph was not yet settled, and what companies those were?

MR. W. H. SMITH said, his right hon. Friend (Mr. Goschen) was well aware that the late Government undertook the duty of purchasing the telegraphs, and that the Act of 1873 provided for £1,250,000 for various charges arising under the earlier Acts. Certain arbitrations had been concluded this year to meet the awards on which no fund existed. They amounted to about £200,000, of which £169,000 or so had been awarded to the Lancashire and Yorkshire Railway Company. There still remained the claims of several other railway companies, and he hoped that £300,000 would be sufficient to meet those claims, which were inherited by the present from preceding Governments, and accrued under the Act of 1868 and 1869. The awards in each case included interest. It would be hard at this time to charge upon revenue more than the actual cost of the service and the interest on the capital sum which represented the charge for acquiring it. Under the Act of 1873 provision was made for the commutation of pensions to the extent of £230,000. He regretted being the organ to ask for a large sum which possibly did not represent the total claims for completing the acquisition of the telegraphs; but he trusted they would soon arrive at the end of the account, and no exertion would be spared on the part of the Treasury to bring about that result. The total of the capital account to the present time, so far as was ascertained, was £9,250,000, of which there was a balance left of £87,000, which, however, was due to the fund set apart under the Act of 1873 for the commutation of pensions.

LORD FREDERICK CAVENDISH doubted whether the House had heard a more discreditable statement in connection with the purchase of the telegraphs than that just made. He could not but say that it was desirable that the hon. Gentleman should give the House more information on the subject, and that it should know the entire amount to be taken for the railway companies: £700,000 had been granted lately, and now £500,000 was asked for. Perhaps the noble Lord the Postmaster General would inform the House how it was that money had been paid for some of those telegraphs twice over?

LORD JOHN MANNERS said, he had not the Papers at hand showing the total amount, but in the case of the Lancashire and Yorkshire Railway Company, which claimed £1,129,814, with interest amounting to £137,460, and £1 per mile per wire annually for way leave, the amount awarded was £169,197, and 1*s*. per mile per wire annually for way leave; and in the case of the Great Eastern Company, whose claim was £412,680, and £200 per annum for way leave, with £22,349 as interest, and £1 per mile per wire annually for way leave, only £73,315 was awarded. The claims of the railway companies were increased by the passing of the monopoly clauses, and he contended that the Government were simply carrying out the intentions of the Legislature in meeting the claims which were preferred by the railway companies under the Act of Parliament and settled by arbitration.

Motion *agreed to*.

Bill read a second time, and *committed* for *Thursday*.

DRUGGING OF ANIMALS BILL.

(*Sir John Astley, Mr. Chaplin, Mr. Bidwell.*)

[BILL 85.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Sir John Astley.*)

MR. GOLDSMID said, the hon. Baronet owed it to the House, if he understood the meaning of his own measure, to explain its object. It was impossible the Bill could be allowed to pass without material alterations in Committee, and he trusted they would receive an assurance from those who had it in charge that such Amendments would not be resisted.

SIR JOHN ASTLEY said, he was much obliged to the hon. Member for the opinion he entertained of him. He evidently thought him (Sir John Astley) no more fit for his position in that House than any menial position outside. He knew his brains were not as clear as those of his hon. Friend, and if they were of the same calibre, they would be useless or worse to him, because they would only stir up small matters in his mind which would interfere very much with the comfort of his life. Some people thought, because he was fond of racing, he was now trying to legislate for racehorses, but that was not so. His Bill was intended to prevent the administration of arsenic and other deleterious drugs to horses, which was frequently done to improve the appearance of the animals, but which injured their constitution and eventually killed them. He had been urged by a large body of his constituents to bring in the Bill, and he thought it his bounden duty to do so. He hoped his hon. Friend would vote for the measure, and he really thought his only reason for objecting to it was to get him (Sir John Astley) on his legs.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday.*

PRIVATE BILLS—CANVASSING IN THE HOUSE.—RESOLUTION.

SIR EDWARD WATKIN, pursuant to Notice, rose to move—

> "That the solicitation of Members of this House to oppose or support Private Bills on Second Reading by Members connected in any way with interests concerned in that opposition or support, has a tendency to restore the evils which this House sought to redress by the present system of Private Bill Committees chosen by a Committee of Selection."

The hon. Member said, he made the Motion in consequence of what took place the other day on the second reading of the Metropolitan Railway Bill, which was rejected on grounds which would not have stood for a moment the closer examination of a Select Committee. It could not, therefore, be denied that a great wrong was done by the summary and unjust rejection of that Bill. He denied that there was anything in that Bill contrary to precedent or to previous legislation sanctioned by the House. He stated, and it could not be contradicted, that not one word of previous Notice had been given of opposition to either of the two hon. Members whose names were on the back of the Bill. And why was it rejected? Because the noble Lord the Member for King's Lynn (Lord Claud John Hamilton) sent out a circular to his private Friends, entreating them to come down and vote against the measure, because it was to be proposed or supported by a certain Member of that House whom he named. He asked whether such a personal allusion was either usual or allowable? Why was it made? Simply to prejudice the issue. He was painfully conscious that in any question of comparative popularity he stood no chance with the noble Lord. He (Sir Edward Watkin) had led a hard and laborious life, full of conflicts, and he might, therefore, have many enemies. The noble Lord, on the other hand, moved in high circles, had charming manners, many influential friends, and had neither lived long enough, nor, so far, done anything sufficiently great or useful, to surround him with any animosities. The noble Lord was a paid railway director. So was he. The noble Lord was also deputy Chairman of a railway and paid in that capacity, the same as he (Sir Edward Watkin) was as Chairman of a railway. He (Sir Edward Watkin) had been elected to a seat in that House four times, and that was his ninth Session, and never in all that time had he solicited by speech or writing any Member to vote for or against any Bill which he believed to be favourable to or inimical to any undertaking of which he was a director. The noble Lord the deputy Chairman of the Great Eastern Railway and his co-director the hon. Member for Essex (Colonel Makins) marshalled their forces and defeated the Bill, and he wanted to know whether the House thought that was a proper course? If so, on another occasion, it could be done on the other side; and all the old evils of General Committees which the House had rid itself of years ago by appointing Select Committees would be brought back; dishonour would light upon the House with respect to private legislation; and the confidence of the public would be shaken in the purity, and honour, and honesty of its proceedings with respect to Private Bills. Again, such proceedings seriously affected the constitutional right of every subject to petition that House and to have his petition heard. In the case he had quoted a hearing had been refused not owing to reasons, or argument or evidence, but because of secret and private canvass by hon. Members distinctly interested in the issue. The hon. Member concluded by moving the Resolution.

Motion made, and Question proposed,

"That the solicitation of Members of this House to oppose or support Private Bills on Second Reading by Members connected in any way with interests concerned in that opposition or support, has a tendency to restore the evils which this House sought to redress by the present system of Private Bill Committees chosen by a Committee of Selection."—(*Sir Edward Watkin.*)

MR. H. HERBERT said, he had voted against the Bill because it was a most objectionable one, and denied that he had been solicited to do so. The Motion was, he considered, the result of private feeling against the noble Lord on the part of the hon. Member for Hythe. It could not be said that, because the noble Lord had written to a few Friends, he had canvassed for votes, as the words were generally understood. He was a Friend of the noble Lord, and had never heard of the Bill till he came down to the House; but this he could say, that there was one clause in the Bill which was sufficient to secure its rejection. When such a statement as they had just heard was made, he thought it right that it should be at once contradicted. It was much to be regretted that almost on every Private Bill there was canvassing for votes. The system was wrong and ought to be put a stop to; certainly when it was done as openly as it was in the Lobby of the House of Commons.

LORD CLAUD JOHN HAMILTON said, that the Motion of the hon. Member impugned the power of the House of Commons to reject Private Bills on the second reading—a power which he contended had exercised a most salutary effect upon the purity and honesty of private legislation. If he were at liberty to go into the merits of the Bill in question, he could show that it was a much worse measure than the House thought it when they rejected it. He denied that the House had ever resigned its power of rejecting Private Bills on second reading. The majority of 65 by which the Bill was thrown out was conclusive as to its demerits. He admitted that he was deputy Chairman of the Great Eastern Railway, and that he wrote to a certain and limited number of his Friends sitting on that (the Ministerial) side of the House, requesting their attendance on the second reading of the "Metropolitan Railway Bill, promoted by Sir Edward Watkin." He was assured by high authorities that, regard being had to the glaring defects of the Bill, the course he took was straightforward and according to precedent, and he trusted that the House would acquit him of having done anything unworthy of the position of one of its Members.

MR. WHITBREAD deprecated the course pursued by the noble Lord, and said that if it was to be resorted to in future, the time of the House, which ought to be devoted to Public Business, would be wasted and taken up by animated and personal squabbles on Private Bills. It was wrong, he thought, for any individual Member to usurp to himself the functions of a Select Committee. He hoped that the hon. Member for Hythe would be satisfied with the discussion, and not divide the House on his Resolution, because it was so wide in its terms that it would prevent any one Member from speaking to any other Member on a Bill before the House.

MR. RAIKES took a similar view, and remarked that of late years a most objectionable practice had sprung up of soliciting the assistance of personal Friends in regard to Private Bills. If the practice were continued, he was afraid that the confidence of the public in the Private Bill legislation of the House would not be maintained. He did not, however, think that the course of the noble Lord in this instance was open to any special objection. It was to be regretted that the more important Members of the House seldom took any part in reference to Private Bill legislation, so as to guide others in the course they should take. He concurred with the hon. Member for Bedford in the hope that the Motion would, after the discussion which had taken place, be withdrawn.

Mr. RITCHIE thought that the rejection of the Bill upon the second reading was justified, and if no previous intimation of opposition had been given there would have been probably but very few Members present. The circular sent round had been sent more to secure an attendance than to influence the opinion of Members.

Sir EDWARD WATKIN, while thinking an important Constitutional principle at stake, offered, in deference to the suggestions made, to withdraw the Motion. [*Cries of* "No," *and* "Divide!"]

The Marquess of HARTINGTON hoped that the Motion would be permitted to be withdrawn, or a division might place them in a false position.

The CHANCELLOR of the EXCHEQUER concurred in the suggestion.

Motion, by leave, *withdrawn.*

REFEREES ON PRIVATE BILLS.

NOMINATION OF SELECT COMMITTEE.

Motion made, and Question proposed, "That the Select Committee on Referees on Private Bills do consist of Twenty-one Members."—(*Mr. Anderson.*)

Mr. SULLIVAN said, he would move, as an Amendment, that the Committee should consist of 23 Members, and complained that so few Irish Members were proposed on the Committee. In the event of his Amendment being carried, he should propose two Irish Members, one from each side of the House; and if it was rejected he intended to propose an Amendment on each name.

Amendment proposed, to leave out the words "Twenty-one," in order to insert the words "Twenty-three,"—(*Mr. Sullivan,*)—instead thereof.

Mr. ANDERSON said, he had no objection to increase the number. The Motion was drawn in the usual form, and there was no intention to cast any slight on the Irish Representatives.

Question put, "That the words 'Twenty-one' stand part of the Question."

The House *divided:*—Ayes 73; Noes 21: Majority 52.

Mr. Raikes

Captain NOLAN said, he would move the omission of the name of Mr. Spencer Walpole, and would propose to substitute in its place the name of Lord Robert Montagu.

Mr. SPEAKER ruled that the hon. and gallant Member was out of Order, such a Motion not being competent without Notice. He could move the omission of any name from the list.

Captain NOLAN said, he would amend his Motion in the manner indicated.

Motion made, and Question put, "That Mr. Spencer Walpole be a Member of the said Committee."

The House *divided:*—Ayes 79; Noes 11: Majority 68.

Mr. WARD said, he would move the omission of the name of Mr. Dodson from the list.

Mr. GOLDSMID appealed to the Irish Members not to continue dividing the House against the wishes of a large majority of hon. Members present.

Mr. SULLIVAN thought it a reflection on the Irish Members that out of a total of 103 only two of their body had been chosen to sit on this important Committee.

The CHANCELLOR of the EXCHEQUER pointed out the duties of the Select Committee on Referees on Private Bills. It was important to have Gentlemen of great experience of Private Business, and it was not at all a question of obtaining Gentlemen from one part of the country or the other.

Mr. W. E. FORSTER supported the appointment of the Committee as proposed in the Resolution.

Motion made, and Question put, "That Mr. Dodson be one other Member of the said Committee."

The House *divided:*—Ayes 77; Noes 11: Majority 66.

Motion made, and Question proposed, "That Mr. Mowbray be one other Member of the said Committee."

Captain NOLAN thought that, if a delay were granted; some arrangement might be come to for the addition of the names of two Irish Members on the Committee, and therefore he would propose the Adjournment of the Debate with the view of seeing whether that course could be adopted.

Mr. ANDERSON said, he hoped that course would not be persisted in, as it was necessary to appoint the Committee without any delay, as it would soon have to enter upon its duty.

The CHANCELLOR of the EXCHEQUER said, he fully concurred in the remark of the hon. Member for Glasgow (Mr. Anderson).

Motion made, and Question put, "That the Debate be now adjourned."—(*Captain Nolan.*)

The House *divided:*—Ayes 17; Noes 68: Majority 51.

Mr. PARNELL said, he would move the omission of the name of Mr. Mowbray.

Question put, "That Mr. Mowbray be one other Member of the said Committee."

The House *divided:*—Ayes 76; Noes 10: Majority 66.

Motion made, and Question put, "That Mr. Sclater-Booth be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 9: Majority 65.

Sir Edward Colebrooke nominated one other Member of the said Committee.

Motion made, and Question put, "That Mr. Pemberton be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 9: Majority 65.

Motion made, and Question put, "That Mr. Whitbread be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 9: Majority 65.

Motion made, and Question put, "That Mr. Basil Woodd be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 9: Majority 65.

Motion made, and Question put, "That Sir John St. Aubyn be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 8: Majority 66.

Mr. Kavanagh and The O'Conor Don nominated other Members of the said Committee.

Motion made, and Question put, "That Mr. Heygate be one other Member of the said Committee."

The House *divided:*—Ayes 71; Noes 7: Majority 64.

Sir Francis Goldsmid nominated one other Member of the said Committee.

Motion made, and Question put, "That Mr. Mills be one other Member of the said Committee."

The House *divided:*—Ayes 75; Noes 3: Majority 72.

Mr. Dillwyn nominated one other Member of the said Committee.

Motion made, and Question put, "That Mr. Rodwell be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 3: Majority 71.

Motion made, and Question put, "That Mr. Monk be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 3: Majority 71.

Motion made, and Question put, "That Mr. Staveley Hill be one other Member of the said Committee."

The House *divided:*—Ayes 75; Noes 3: Majority 72.

Motion made, and Question put, "That Mr. Muntz be one other Member of the said Committee."

The House *divided:*—Ayes 75; Noes 3: Majority 72.

Motion made, and Question put, "That Mr. John Talbot be one other Member of the said Committee."

The House *divided:*—Ayes 74; Noes 3: Majority 71.

Mr. Anderson nominated one other Member of the said Committee.

Power to send for persons, papers, and records; Five to be the quorum.

OYSTER FISHERIES.

MOTION FOR A SELECT COMMITTEE.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire what are the reasons for the present scarcity of Oysters, and what has been the effect of the measures relating to Oyster Fisheries adopted by Parliament subsequently to the Report of the Royal Commission on Sea Fisheries in 1866."—(*Sir Charles Legard.*)

Amendment proposed, at the end of the Question to add the words "and to report what further legislative measures may, in the opinion of the Committee, be desirable."—(*Mr. Cawley.*)

Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Select Committee *appointed*, "to inquire what are the reasons for the present scarcity of Oysters, and what has been the effect of the measures relating to Oyster Fisheries adopted by Parliament subsequently to the Report of the Royal Commission on Sea Fisheries in 1866, and to report what further legislative measures may, in the opinion of the Committee, be desirable."

And, on March 9, Committee *nominated* as follows:—Mr. EDWARD STANHOPE, Mr. SHAW LEFEVRE, Viscount HOLMESDALE, Mr. HERBERT, Colonel LEARMONTH, Mr. DILLWYN, Lord RENDLESHAM, Mr. WYKEHAM MARTIN, Mr. MALCOLM, Mr. MITCHELL HENRY, Mr. O'CONOR, Mr. PEMBERTON, Mr. EUSTACE SMITH, Major WALPOLE, Mr. ARTHUR VIVIAN, Mr. ASHBURY, Mr. WADDY, Sir CHARLES RUSSELL, and Sir CHARLES LEGARD:—Power to send for persons, papers, and records; Five to be the quorum.

And, on March 15, Lord CLAUD HAMILTON and Mr. FULLER MAITLAND *added.*

House adjourned at a quarter after Four o'clock in the morning.

* * *

HOUSE OF LORDS,

Tuesday, *7th March*, 1876.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Marriages (St. James, Buxton) * (22).

Second Reading — *Committee negatived* — *Third Reading*—Exchequer Bonds (£4,080,000) *; Consolidated Fund (£4,080,000) *, and *passed.*

Select Committee — Ecclesiastical Offices and Fees * (3), *nominated.*

EXCHEQUER BONDS (£4,080,000) BILL.

PERSONAL EXPLANATION.

EARL GRANVILLE: My Lords, I rise for the purpose of making another personal explanation. I am sorry I have to do so, but it is not my fault. Mr. Disraeli is reported in the newspapers of to-day as having stated last night in the House of Commons that the Papers respecting the purchase of the Suez Canal shares containing letters of Sir Daniel Lange to the late Government with reference to an alleged offer of the purchase of the Canal had been sent to me before publication, and that I sanctioned them. He stated afterwards that he did not wish to be understood as attaching any responsibility to me in respect of their publication. With reference to this explanation, I must say that I do not quite understand why he had alluded to the fact. He then went on to say that the Papers were submitted to me and that I raised no objection to their publication. I took the liberty of giving the noble Earl (the Earl of Derby) private Notice that I should ask him whether in his opinion I incurred any responsibility with respect to the publication of these Papers?

THE EARL OF DERBY: If the noble Earl wishes to put to me the question, whether I desire to attach to any one who is not a Member of the Government any part of that responsibility which falls to the person who occupies the position I now fill, I am quite ready to give an answer in the negative to that inquiry. I do not hold the noble Earl responsible for the publication of those Papers. But when I say that, I presume that the noble Earl does not mean to deny that, although not responsible for, he was cognizant of, their publication. Following the precedent of the Department over which I preside, I had the pleasure to forward the noble Earl a Copy of the Papers which were to be submitted to Parliament, inasmuch as they related to business which passed in the Department during his tenure of office there. My noble Friend received them; and he will recollect that he had the thoughtfulness and kindness to offer me a suggestion with respect to one Paper, the publication of which he thought might be injurious to the public service. That suggestion I acted upon. Although I do not answer for the accuracy of what is reported to have been stated in "another place," if any statement was made there which might lead to the belief that the noble Earl is responsible for the publication of those Papers, I am quite willing to say that he was not. What happened was this—The noble Earl was aware of the publication, and did not object to it. While I say that, I am bound to add that I do not think my noble Friend was bound to express any opinion in the matter, one way or the other. So much for the personal question. But with reference to comments which have been made on the subject of the publication itself, it appears to me that there has been a good deal of misapprehension, and therefore I hope I may be allowed to say a word or two to clear up the matter. I believe that the popular impression out-of-doors is that we published communications which were never meant to be otherwise than confidential, and very naturally the public exclaims "What a monstrous thing to do." But, my Lords, were those communications private and confidential in the ordinary sense of the word? No. If they were of that character, they would have formed part of the private correspondence of the noble Earl who preceded me in the Foreign Office, and would have been taken away with his other private correspondence. But that was not the case. They were received at the Foreign Office as coming to the Secretary for Foreign Affairs; they were registered, and they went through the usual routine observed in the case of all letters sent to the Department. They were letters on public business addressed to the head of a public Department from a person holding an important public position. Those letters form the only reference to an important transaction which we thought it essential the public should be made aware of. They are five in all, and I may mention that two were not marked with any words indicating a private or confidential character, but let me remind your Lordships—though I scarcely need remind any one who has had any experience in public affairs—that the confidential nature of a publication is in nine cases out ten a matter of time. If, as Foreign Secretary, I were made aware of some European event which was going to occur in three or four months, it is possible that the information would be given to me in a letter or despatch marked "confidential," or "private," or "secret." It would, of course, be necessary to regard that communication as confidential for the time; but it does not follow that when the events referred to in such communications have occurred, and when the reason for secrecy is at an end, there may be any reason whatever why they should not be made public by being laid on the Table of both Houses of Parliament. I do not wish your Lordships or the public out-of-doors to be under the impression that the Papers referred to by the noble Earl were published without valid reasons. They were the only reference to what undoubtedly was a very important public transaction—namely, the offer made to our Predecessors in office for the purchase of the Suez Canal. I ask your Lordships to consider how much heavier would have been our responsibility and what would have been the nature of the inferences which would have been drawn if it could have been said that while we purported to give to Parliament the whole of the Papers having reference to the Suez Canal, we suppressed a portion, and that the most important portion of all—namely, that which contains the fact that an offer had been made to our Predecessors, which they had not thought fit to accept. I think the inference to have been drawn from that would not have been of a very agreeable character. I sum up the matter in this way—In the first place, the letters were not private letters in the ordinary sense of the word; they were communications addressed to a public Department. In the next place, they were confidential at the time they were written and received; but it was for the Department in which they were registered to exercise its own discretion as to whether in five years after the whole matter to which they referred was at an end their confidential character should be maintained. If the gentleman who was so much mixed up in the matter has been in any way injured by the appearance of these documents in print I very much regret it; but looking through them since their publication with a care which I did not give to them before they had been published, I do not see anything in them which is in the least discreditable either to the writer of those communications or to the gentleman on whose conduct they comment. I cannot see anything in them in the slightest degree injurious to the character or to the interests of Sir Daniel Lange or M. de Lesseps, and though I regret the inconvenience which may have resulted from their appearance, I must repeat that I think we should have incurred a heavier responsibility and exposed ourselves to grave censure if, instead of having published these communications we had suppressed them altogether.

Earl GRANVILLE: I regret it if I should be putting your Lordships to any inconvenience; but I do not think the practice which was established last year of not allowing a reply to a Member of your Lordships' House who has merely asked a Question, will be held to apply in the present instance; but if it should be I will put myself in Order by making a Motion. Two things in the noble Earl's reply have given me satisfaction. He for one disclaims the system on the part of a Government which, when they are called on to answer for something they have done, leads them to throw the responsibility on third parties—whether ex-Ministers or others. I am also obliged to him for saying that he did not think I was bound to make any observations on the Papers submitted to me. At the same time, it occurs to me that perhaps the noble Earl left on your Lordships' minds the impression that he thought it was a pity I did not make some observations on those Papers. I am, therefore, anxious to make one or two further observations. There is an official in the Foreign Office called a *précis* writer. It used to be his duty to make a *précis* of all Papers coming to the Foreign Office which an outgoing Secretary of State might take away with him. That practice was found to be very inconvenient; and when the Foreign Office took to printing almost all the documents, the duty fell to the lot of the *précis* writer. He is bound to collect all the documents which had been printed and to give them to the retiring Minister. It happened that when I was leaving the Foreign Office Mr. Harvey, the *précis* writer, with a friendly feeling, and no doubt acting also in the discharge of what he felt to be a duty, claimed those particular Papers for me and sent them to me. I may remark, also, that all the Papers which are printed are not printed for publication. The papers which are printed on blue paper and marked "confidential," are those which are printed for the use only of the office—such was the print which I hold in my hand, and which was forwarded to me. Mr. Harvey wrote to me and said he had made this claim on my behalf, and was told that the noble Earl (the Earl of Derby) said that as Mr. Harvey claimed those Papers for me he was to have them; but it was clearly to be understood that it was not Lord Derby who sent them. So far, therefore, from the noble Earl sending the Papers to me for my observations as to their publication, if what I have stated to your Lordships had any meaning at all, it must have been to remind me that I had no *locus standi*. I read them, certainly—not for the purpose of revising them for the Foreign Office, but to see whether they went against my own recollection, which was that no definite proposal to purchase the Suez Canal had ever been made to me. In mentioning the matter to my noble Friend Lord Hartington I alluded to the message sent with those Papers; and I then said to him—"There is something in these Papers which it strikes me ought not to be published. It does not appear to me to refer to the question of the purchase of the Canal, and I should like to mention it to the Secretary of State." It was exceedingly awkward for me to do this, and I felt it to be so. I wrote to the noble Earl, but I gave my note a particular and unusual heading. I headed it "Personal and confidential," meaning thereby to show that I wrote to him, not as Secretary of State for Foreign Affairs, but as a personal Friend. I hope the Earl has always regarded me as a personal Friend and that he will always find me one. I think I pointed out to him that the Paper to which I referred in my letter was not one which affected, either for or against the affair of the purchase of the Canal shares. Again, with regard to the Correspondence, I remember one thing—that a letter which was not sent to me at all, but which appears in page 167 of the Correspondence, was more likely to give offence to M. de Lesseps and his colleagues than any of the other letters. I beg your Lordships to remark that the noble Earl says Her Majesty's Government would not have been justified in keeping from the public the offer made to us and declined. Now, I say that Sir Daniel Lange did not make us any offer. He gave us private information as to the probability of such an offer being made; but there was no such offer. I remember, however, that almost as soon as we heard of the purchase of the Suez Canal shares, I was told by friends

—by both Conservative and Liberal Friends—that the Government would make a great point of their having been prompt in a matter in which we had shown ourselves to be dilatory. These rumours have proved not to have been without foundation, for, if I am not misinformed by the public Press, at the beginning of the debates on the subject in "another place" the Prime Minister said to Mr. Gladstone—"It is quite clear from your speech that you would not have bought the shares." Therefore this correspondence may be supposed to bear on the possible controversy between the present and the late Government. Well, the noble Earl wrote me a kind letter, in which he thanked me for the suggestion I had made, and said he would act upon it. But if I had suggested that it was desirable to omit certain parts of the correspondence selected for publication, would he not have said, "Why, he is afraid of this being published!" It may be said that I ought to have referred to the letters which are the subject of this discussion as being marked private and confidential; but I never anticipated that the noble Earl would say that it is a defensible thing for the Department to publish without the permission of the writer letters marked "private and confidential," and containing, not an offer, but the mere gossip of an offer—to erase "private and confidential" and make such letters public without the permission of the writer. I really think, my Lords, that I have stated enough—perhaps too much—to show that I am utterly without responsibility in connection with the publication of these letters, and that Lord Hartington in making that statement last night was perfectly justified.

The Earl of DERBY: I do not want to prolong this discussion, but in respect of the message which the noble Earl says he received with the Papers, I must say there was no such message from me. There must be some misapprehension on the part of my noble Friend. I apprehend that what happened was this — Some communication passed between the gentleman referred to by the noble Earl and a permanent member of the Foreign Office Staff. I repeat that I sent no such message.

Earl GRANVILLE: I have perfect confidence in Mr. Harvey and I have perfect confidence in the Private Secretary of the noble Earl also. But I have it in writing from one of those gentlemen that the claim was admitted as Mr. Harvey had made it, but Lord Derby wished it to be clearly understood that the Papers were not sent from him to me.

RECEPTION OF FUGITIVE SLAVES—THE CIRCULARS—INSTRUCTIONS. —PETITION.

Viscount CARDWELL: My Lords, I rise to present a Petition from the General Body of Protestant Dissenting Ministers of the Three Denominations residing in and about the Cities of London and Westminster, praying for the immediate and unconditional withdrawal of the Instructions recently issued by the Lords of the Admiralty to Commanders of Ships of War. My Lords, the Petitioners are well known to your Lordships as persons of great intelligence and I may say of historical celebrity. They are not members of the National Church, but they have always exercised great influence in every question which has touched the religious feeling of the country, and their voice has been always heard when anything affecting the general sentiment of humanity has been agitating the public mind. They pray for the unconditional withdrawal of the Instructions recently issued to the commanders of ships of war; and they pray thus not on the grounds of law, but on the grounds of humanity and policy—because they regard these Instructions as at variance with the principles of the British Constitution, which are the principles of freedom, and as opposed to the dictates of humanity. My Lords, in bringing this Petition under the notice of your Lordships, I shall not ask you to enter into questions of controverted law. Policy is what I ask you to consider. My Lords, as to the policy of this country and its objects in respect of the slave trade there can be no question, and that policy was never better expressed than in the gracious Speech from the Throne at the beginning of this Session. In that gracious Speech it is stated—

> "The humane and enlightened policy consistently pursued by this country in putting an end to slavery within her own dependencies, and in suppressing the slave trade throughout the world, makes it important that the action of British national ships in the territorial waters

of foreign States should be in harmony with these great principles."

"I have, therefore, given directions for the issue of a Royal Commission to inquire into all treaty engagements and other international obligations bearing upon this subject, and all instructions from time to time issued to my naval officers, with a view to ascertain whether any steps ought to be taken to secure for my ships and commanders abroad greater power for the maintenance of the right of personal liberty."

Now, my Lords, the question which I submit to you is this—Are the Instructions to which the Petition refers in harmony with that statement in the Queen's Speech? That passage in the Speech from the Throne announces that a Royal Commission is about to be appointed. And what is that Royal Commission to do? Not to find for us a policy, for England in respect of slavery has no need to seek for a policy, but with the purpose of ascertaining what is the best mode of carrying our policy out. Will those Instructions conduce to that end or not? The first question that presents itself to one's mind is this:—Is it consistent, is it natural, to appoint a Royal Commission to inquire into all treaty engagements and other international obligations bearing on the subject, and all Instructions from time to time issued to naval officers, and at the same moment to lay down positive Instructions on which these officers are to act? If those Instructions had been an exceptional regulation—if they had been framed to meet a particular difficulty—if at some particular place there had been some great pressure, or if there had been some urgent necessity for terrible haste—one could understand the framing of such Instructions pending the inquiry and Report of the Royal Commission; but these Instructions are general, their application is universal, and it cannot be said that the occasion which is said to have called them forth was very pressing, seeing that the note from India remained in the Foreign Office more than 12 months before the issue of the first of those Slave Trade Circulars. When you have recourse to a Royal Commission you thereby acknowledge that your mind is not made up, or that you are in search of enlightenment and instruction. Why, then issue Instructions which are not confined to ships in the Persian Gulf, but apply to all Her Majesty's ships, whether in territorial waters or on the high seas? Are these orders to be regarded as a convenience to experienced naval officers? Have your Lordships ever heard of such expressions as these from an experienced naval officer?—

"He heard with great regret that explanations or involved instructions had been drawn up, which would do away with the clear notion held by naval officers up to the time of the issuing of the recent Circulars. If it had been necessary to issue special instructions with regard to India, the Persian Gulf, and Zanzibar, they might have been of a local character, and applicable only to each particular case. . . . He hoped that the operation of the Circular would be postponed, that the subject would be referred to a Royal Commission, and that naval officers would be allowed to act, as they had done for 37 years, without producing any international complication."

It is, in fact, "darkening counsel by words without knowledge" to issue this Circular when you are appointing a Commission to inquire what the Instructions should be. My Lords, I have not entered, and I shall not enter, into any question of law. Those Instructions have been drawn by a master hand, and I am not going to assert that any fault could be found with them as directly infringing on the principles of International Law: but, my Lords, I am bound to say that the policy embodied in those Instructions is not the policy of the country, and that it is not the policy of this country to maintain them. What is International Law? It is not, like municipal law, altered by the debates or even by the Acts of Parliament. But it is not stereotyped. It grows, *occulto velut arbor ævo.* It is the consensus of civilized nations, and it becomes more beneficent, as civilized nations advance in civilization: and it is our duty to be ever in the van, promoting by our example, our influence, and our authority, that advance; and had we been as free at the beginning of the century as we now are to exercise this power, International Law would have been in a more advanced position in respect of slavery than it is at this moment—far more favourable to the slave and far less fettered by technical distinctions and difficulties. But the country has done much. It paid millions to redeem the slaves in its own Colonies; it has made great efforts to suppress the slave trade; and, following its example, two powerful nations—the United States of America and the Empire of Russia—

have abolished slavery in their dominions; and the object of the Royal Commission must assuredly be to point out the way in which the greatest progress can be made to establish freedom throughout the world. The time is therefore one of special importance, offering peculiar opportunities for the successful promotion of our beneficent policy. But what are these Instructions? It may be said that they are only for commanders of vessels in territorial waters. But that is a mistake. They deal with the open sea—and I object to the way in which they deal with the open sea. Did any one ever before hear of any distinction between a slave and a free man on the open sea aboard a British ship? For the first time that I know of those Instructions introduce that distinction. They contain this passage—

> "When any person professing or appearing to be a fugitive slave seeks admission to your ship on the high seas, beyond the limit of territorial waters, and claims the protection of the British flag, you will bear in mind that, although Her Majesty's Government are desirous by every means in their power to remove or mitigate the evils of slavery, yet Her Majesty's ships are not intended for the reception of persons other than their officers and crew. You will satisfy yourself, therefore, before receiving the fugitive on board, that there is some sufficient reason in the particular case for thus receiving him."

Now, with regard to territorial waters, what is the British officer told to do?—

> "Within the territorial waters of a foreign State you are bound, by the comity of nations, while maintaining the proper exemption of your ship from local jurisdiction, not to allow her to become a shelter for those who would be chargeable with a violation of the law of the place. If, therefore, while your ship is within the territorial waters of a State where slavery exists, a person professing or appearing to be a fugitive slave seeks admission into your ship, you will not admit him, unless his life would be in manifest danger if he were not received on board. Should you, in order to save him from this danger, receive him, you ought not, after the danger is past, to permit him to continue on board; but you will not entertain any demand for his surrender, or enter into any examination as to his status."

Now I say that this is not a matter of law but of policy. The assertion you make in that article of the Instructions admits that you are asserting rights of your own, in which you are perfectly independent of any obligation to any other nation; the concession that you make, therefore, is a voluntary one. It does not speak the voice of the British people, and you had no right to make it. It is at variance with the spirit of British policy, and cannot be approved by the British Parliament. The British officer is not to admit the slave on board his ship unless the life of that slave would be in manifest danger if he were not so admitted. Is that a humane policy? There may be other reasons which would be as important as the question of life. There are many other dangers which are more likely to happen to the slave than that of having his life taken by his owner. It is not, perhaps, often that a slaveowner desires to take the life of his slave; but there are things which even the slave may prefer to life itself. I read lately of a dreadful massacre in Cuba that was caused by an attack on the honour of a woman. Is it deliberately intended in a case in which a wife says—"My honour has been attacked," and in which the husband says—"Cruel chastisement awaits me for resistance to that attack," that the commander of a ship should say—"A short time ago I might have interfered to save you; but now I cannot receive you, because your life is not in manifest danger, and I have received new Instructions drawn up by the highest authority, by the Cabinet of the Queen, which peremptorily prohibit me?" Take the case of political offenders. Would you venture to incorporate in your regulations as to political refugees these Instructions which you have issued in the case of slaves? If Poerio had made his escape from the Neapolitan prison would you have had any British commander say to him that he would not receive him because his life was not in manifest danger? What harm would any one suffer if the prayer of this Petition were acceded to and these Instructions were withdrawn? If the country were to awake to-morrow morning and find that they had been withdrawn would any one be the worse? Would the Government be the worse? Would it be displeasing to their supporters? Mr. Pitt used to complain of Mr. Wilberforce that he would only support him when he was in the right; but he wanted his support most when he was in the wrong. The present Government have better supporters than Mr. Wilberforce. They have just given that most indisputable proof of a strong Government, a large majority composed of most reluctant supporters. He found that one of those who usually acted with them, though he could not give his personal vote, was reported to have used this language in the other House of Parliament—

> "They were all of one opinion that slavery was a bad thing; but if there was a division party organization would come into play, the Liberals would go into one lobby and the Conservatives into another, and the impression would consequently get abroad that the Liberals were the friends of the slave, and the Conservatives his enemies. Now, he had a strong objection to being placed in a false position. He did not want to argue this question on petty considerations. They had had rather too much of that lately. Let them try to decide so as not to be hard on the slave nor uncivil to their neighbours. The truth was, they were all of one mind; they all wanted to do the same thing if they could only find a clever fellow to teach them how to do it. He thought the Government was in danger of finding itself in a false position. They had issued the Circular, and now they were going to appoint a Commission, the meaning of which was that they wanted more information. Well, if information was wanted, let them suspend the Circular. They issued the Circular, although they were in want of information. That was a dilemma out of which he should be glad to hear the ingenious Prime Minister extricate himself. He knew he was on dangerous ground, but he must say that there were a good many men on that side of the House who did not like that business, and who did not quite see their way to sanctioning the Circular. He did not wish to attach any blame to Her Majesty's Ministers. He believed they wanted to do what was right. But why should they not leave this matter to their Naval officers? He did not like the Circular. It had an ugly hard sound about it, and he could not see why it should not be withdrawn."

Would the commanders of ships be the worse for the withdrawal of the Instructions? We know from their own statements that they would be in a better position. Would the Royal Commissioners be the worse for it? Certainly not, for they would pursue their inquiry in a fuller and a broader light without the darkening shadow of the Instructions. Would the British Crown be the worse for it? No. By having these Instructions withdrawn they would advance the cause of freedom, which we all have so much at heart, and clear the way for making International Law on this subject more in accordance with the doctrines which it has been our pride to see this country uphold. I believe that if the Government would accept the prayer of this Petition they would gratify their own supporters, they would facilitate the efforts of British commanders, they would elevate the honour of the British Crown and greatly advance the cause of freedom, which is dear to men of all parties in this country.

THE LORD CHANCELLOR: My Lords, I cannot express any surprise that the noble Viscount (Viscount Cardwell) should have taken this opportunity of bringing before your Lordships a subject which has deeply entered the public mind; I should not have been surprised if it had, even at an earlier period, occupied your Lordships' attention. And I am free to admit that no body of men could with greater consistency and greater propriety present themselves as Petitioners to your Lordships' House to make their view of the subject known than those whose Petition has been presented by the noble Viscount. But, my Lords, we must bear in mind that there are more questions than one which have to be considered with reference to the prayer of this Petition. My noble Friend has touched upon those in succession, and I am going to follow the lines which he has marked out. But, my Lords, I only request one thing of your Lordships—that the different points to which he has adverted may be kept perfectly distinct. The noble Viscount raised the question first of all—"What is the need of Instructions at all?" He has raised the question also—"What is the character of the Instructions which as an act of administration ought to have been issued?" And he has raised a third and, I think, a larger question than either of the first two—"What is the policy which this country ought to pursue in a matter deeply connected with that abolition of slavery which we all desire." I will take each of those questions in succession.

First, my noble Friend suggests—"Was there any necessity for the issue of this Circular?" My Lords, the question is very easily answered. The Indian Government—the Governor General of India and his Council—informed Her Majesty's Government of these very important facts. They told Her Majesty's Government that the necessity had arisen for distinct Instructions to be given on the subject to the commanders of Her Majesty's ships; and they told Her Majesty's Government —what was more important—that they themselves had issued Instructions which would remain in force till the final Instructions should have been issued by Her Majesty's Government. Let me remind your Lordships what our Resident in the Persian Gulf said—

> "4. I would respectfully suggest that in the present state of the Slave Trade question it would be satisfactory to have some definite instructions from Government as to what class of slaves are entitled to receive protection on board British ships, as in both the cases mentioned in this letter the slaves who received protection seemed, without doubt, to come under the head of domestic slaves, and if domestic slaves are allowed to receive protection on board every English ship they come across, the owners will be great losers, and the pearl fishing will come to a standstill, as nearly all the divers belong to that class."

That was the view taken by the Resident of the Persian Gulf. But the noble Viscount asks why was it necessary to go beyond the locality—the Persian Gulf—in laying down rules? It was for this reason—that it is in that locality and along the Eastern Coast of Africa, almost in the same neighbourhood, that the whole or nearly the whole question as regards the slave trade arises. But there was this more important consideration for the Government. I will not trouble your Lordships by examining the Instructions issued by the Indian Government; but when they came to be examined by us, it was perfectly obvious that they were Instructions which could not be maintained. Under these circumstances Her Majesty's Government considered they had no option but to issue, as a matter of administration, a Circular that could be maintained. I need not say that no Department would have desired, except under the pressure of absolute necessity, to codify all the Circulars and Instructions on the subject; but the Government felt that they would be shrinking from their duty if, while being of opinion that the Indian Instructions were such as could not be maintained, they did not respond to the request of the Indian Government.

I now come to the second question—"What was the character of the Instructions which, as an act of administration, it was right for the Government to issue?" And I will ask your Lordships to keep that question entirely free from the question of policy—from the consideration of what, if our hands had been free, was the policy in this matter which we should have desired to have pursued. I conceive that the first duty incumbent on us in answering this question is thoroughly to understand the principle on which the freedom of public ships is regulated by International Law. The noble Viscount points out that the Circular to which he has referred treats not merely of the position of ships in territorial waters, but also of the position of ships on the high seas. I must say a word or two as to that part which treats of the position of ships on the high seas, because it has been greatly misapprehended. I am not sure that I caught correctly the objection that the noble Viscount took to it, but as I understood him it was that, as regards ships on the high seas, the Circular threw upon the commander the duty to discriminate as to whether the person claiming protection was a slave or not. I am surprised that there should be any question on that point. The provision is in favour of the person escaping from slavery. The object is to point out to commanders of Her Majesty's ships that it is not sufficient merely to receive the slave on board and give him the protection of the British flag for the moment, but that his duty is not discharged unless he keeps the slave on board or puts him on shore at a place where his liberty will be respected. That is the object of that portion of the Circular.

I pass from that, and come to what is a more serious question—"What is the position of public ships in the territorial waters of a foreign State?" The noble Viscount refers to the question of International Law. I will say this for International Law—there is no mystery whatever about International Law. It is simply a matter of common sense, and everyone of your Lordships is just as competent to judge of a principle of International Law as a Lawyer is. There is no magic about it; there is no technical procedure. It is simply a question to which the common sense of anybody may be applied. Now, I will state to your Lordships what I conceive to be the position of a public ship in foreign territorial waters; but I wish to say that, as far as I am concerned, I am as anxious as anyone can be to maintain the complete exemption of our national ships from foreign jurisdiction. There is no country in the world so much interested in that doctrine as Great Britain, and I am anxious to maintain it to its fullest extent. But, my Lords, another doctrine has been raised in the course of this discussion which I, at least, cannot give my assent to. This is the doctrine which has been called the doctrine of extra-territoriality; and when that doctrine comes to be interpreted it is represented to be this—that a national ship is a part of the land of England, and that wherever she goes she carries with her so much of English land, with all the consequences which may attend it. My Lords, I must beg leave to doubt the accuracy of that proposition. I believe it to be a metaphor, and I believe it to be a metaphor eminently calculated to mislead. Let me ask your Lordships to subject that doctrine—for you will find it has a very important bearing—to one or two very simple tests. It is said that an English public ship, wherever she goes, is part of the English soil. Now, remember that whatever is the position of a ship in this respect, exactly the same is the position of the Ambassador's house. The same protection which is thrown around a public ship of war is thrown around also the residence of an Ambassador in a foreign country. I should like to ask of those who maintain that a ship is part of the English soil this question—If a child of foreign parents were to be born on board an English national ship in a foreign harbour or in the house of an Ambassador, would that child be born within the allegiance of the Queen of England? I should like to ask another question. Suppose that in the Bay of Rio Janeiro, and on board one of our public ships, a marriage were to be solemnized between two Brazilians which was valid according to the Brazilian law, would it be invalid because ceremonies required by the English law were not performed? I apprehend no person can maintain any such doctrine. But I will ask another question. Suppose that in an Ambassador's house an assault were to be committed by one foreigner upon another, or a murder were to be committed by one foreigner upon another, will anyone contend that that is a subject for the jurisdiction of the Courts of England, or that because the Ambassador's house or a ship is English soil, the Courts of the country are not the proper Courts to have jurisdiction? Your Lordships will find this to be of so much importance that I will take the liberty of asking you to allow me to read one extract from one of the authorities on this subject. Mr. Dana, in a note to Wheaton's works, says—

> "The subject of diplomatic immunity of person and place has been obscured by the use of the phrase 'extra-territoriality.' Treating this figure of speech as a fact, and reasoning logically from it, have led to results of an unsatisfactory and impracticable character. . . . A clear understanding of these questions requires that the phrase should be treated as a figure of speech, and not a fact from which inferences can be drawn. The true test is one lying behind and clear of that illustration. The whole subject depends upon this principle—the convenience of nations."

That I think will suffice for authority across the Atlantic. I will venture to quote from an author at home, and I am glad to use the authority of a learned friend of mine, a colleague of mine upon the Bench—one whose judgments and whose writings upon International Law I will venture to say reflect honour upon this country—I mean Sir Robert Phillimore. What does he say? He asks—

> "Upon what grounds is this exemption allowed? Not upon the possession on behalf of the Sovereign in virtue of his sovereignty of a right to this exemption; such a right on his part would be incompatible with the right of the territorial Sovereign; and not as it is sometimes carelessly said, upon the ground that he and his property are to be considered as still remaining in his own territory. This is, indeed, the fiction of law expressed in the term 'ex-territoriality,' by which the nature of the immunity is illustrated; but it is illogical and inaccurate to consider it as the ground of that immunity."

It is in the knowledge of many of your Lordships that a practice prevailed in the last century, of treating an Ambassador's house as a place of refuge, as an asylum, upon the notion that it had some peculiar sanctity, as so much of the land to which the Ambassador belonged, but the practice has been long since reprobated by the common consent of all nations. I have seen this doctrine as to extra-territoriality supported upon the authority of one who is said to be a most distinguished jurist, as well as an able, practical sailor—namely, M. Ortolan. It is always an unfortunate course, to take and roll two men into one. The distinguished jurist M. Ortolan is not a sailor, and the distinguished sailor M. Ortolan is not a jurist. They are brothers. They are both very eminent in their way, but with regard to the sailor I must take the liberty of saying that, although he has written a book of extreme ability and of very great interest, there are many propositions in it which I think it would not be quite safe to rely upon, one of these being the same proposition which has been so much alluded to—that every national ship is so much of the ground of the country which she comes from. But even M. Ortolan, when he comes to consider cases which may arise on board ship, finds that his own doctrine requires to be considerably modified, and this is the view which he takes in that case. He says—

> "We must also remark the striking difference which in reality exists between the territory of a State and the deck of a ship moored in the waters of a foreign Power. The confined space of the ship, the small population it carries, its limited means of providing for this population, the necessities, so multiplied and rigorous, of its discipline and service, all these prevent any comparison, as regards the introduction of a stranger, with the case of a real territory. To this consideration, if we add that when a ship of war is in the port or territorial waters of a foreign State, it is really within a district subject to the ownership or sovereignty of that State; that if, in its character of a ship of war, it then enjoys an absolute immunity, this immunity cannot be claimed as a personal right by refugees on board; that if it is true that these refugees are on board, it is true also that they are still in the port or territorial waters of those to whose coercive power they are amenable—we must conclude from all these observations, while we maintain the inviolability of a ship of war, over which the local authorities have no control, that the refugee who has taken shelter is not absolutely in the same situation as if he had taken refuge in the territory of the State to which the ship belongs."

I trouble your Lordships with these observations because it is very much better to disembarrass the case of the comments that have been made in many quarters, and which have attracted considerable attention. Now what is the real reason why you maintain that a ship of war has peculiar, exceptional privileges in the territorial waters of foreign Powers? I apprehend that reason is clearly and distinctly this—that a national ship enters the territorial waters of a foreign Power subject to two implied engagements. I say implied engagements, because they are engagements which may be modified, which may be altered, but which cannot be altered without distinct notice. One is an engagement on the part of the Power whose waters she enters that she and all those on board of her shall be free from foreign processes; and the other is an implied engagement on the part of the ship that she will neither herself violate nor aid those who desire to violate the law, whatever it may be, of the foreign State. Your Lordships will then, I think see the importance of bearing in mind these principles when we come to speak of the policy of this country. Mr. Justice Story says—

> "In the case of the *Exchange* the grounds of the exemption of public ships were fully discussed and expounded. It was there shown that it was not founded upon any notion that a foreign Sovereign had an absolute right, in virtue of his Sovereignty, to an exemption of his property from the local jurisdiction of another Sovereign, when it came within his territory; for that would be to give him sovereign power beyond the limits of his own Empire. But it stands upon principles of public comity and convenience, and arises from the presumed consent or licence of nations, that foreign public ships coming into their ports, and demeaning themselves according to law and in a friendly manner, shall be exempt from the local jurisdiction. . . . . It would indeed be strange if a licence implied by law from the general practice of nations for the purposes of peace should be construed as a licence to do wrong to the nation itself, and justify the breach of all those obligations which good faith and friendship, by the same implication, impose upon those who seek an asylum in our ports."

My Lords, I apprehend that is a principle founded upon common sense. There is no obligation on the part of a ship of war to go into a foreign port, and there is no obligation on the part of a foreign State to admit a ship of war into its ports, except upon the terms which are implied by International Law; and until something is done to alter these terms they are conditions upon which, according to International Law, ships of war shall enter foreign ports. I should like, with your Lordships' permission, to add one further authority—which, I think, is a very important one—to those I have already mentioned. I have no doubt that your Lordships have read, as I have often read, with the greatest interest the letters upon International Law which have appeared in *The Times*, bearing the signature of "Historicus." I am relieved from the trouble of surmising who is the author of those letters, because I find that in the Report of the Naturalization Commission the curtain is drawn aside, and that it is stated in the appendix that the name of "Historicus" represents Sir William Harcourt. I know of nothing connected with those letters of which Sir William Harcourt may not well be proud, and all the letters which have appeared under that name will, I believe, take their place in future treatises on International Law. I am going to take the liberty of referring to one of those letters, which certainly deals in the closest way with the question which we are now considering. What is the view which Sir William Harcourt takes as to the present state of International Law on this question?—and I beg your Lordships to observe particularly that my observations at this moment are limited to that point. As to the present practice of this country with reference to the obligations which are imposed upon ships of war in foreign ports, Sir William Harcourt says—

> "It may be said this is all very well in law, but in practice are public ships to go about to foreign ports, and then, having accepted their hospitality, to render themselves public nuisances? Certainly not. No one contends that a ship of war is to hold itself out as an asylum for foreign runagates from justice, or even from slavery. A captain should not make his ship a receiving-house for fugitive slaves any more than for runaway criminals or smugglers, or stolen goods. I should imagine that a man fit to command a Queen's ship does not need to be told this. The Admiralty Regulations already contain an injunction as to the conduct of captains in foreign ports, amply sufficient to warn them against conduct which may give umbrage to the Government or the people of the place where they anchor. If any further Instructions were required (which I greatly doubt), they should have been exactly the opposite to those given in the Circular; instead of ordering the slaves to be surrendered after they had been received, the direction should have been not to receive them, because they could not be surrendered. . . . What the captain has a right to do, and ought to do, is to give instructions to the officers of the watch and the sentry not to admit any person on board his ship whose reception he has reason to think will give offence to the authorities of the place where he is lying. This is a duty, not of law, but of courtesy. . . No one has any right on board a Queen's ship, whether in an English or a foreign port, without the leave of the captain. He has entire right to determine whom he will receive, or exclude, or remove. The objects for which a man-of-war exists, and the necessities of discipline, require this. He has, therefore, a right which would not exist in ordinary cases on shore to forbid access or to order the removal of strangers. The ship of war is like a fortress; it repuires no Alien Act to authorize an exclusion from it."

My Lords, I cannot pass by that letter without observing that it appears to have excited "elsewhere" a good deal of attention; and, if I remember aright, the author of it said that he regarded the letter himself with the greatest interest, because it had appeared only 24 hours before the Government withdrew the first Circular. Had that been the case, it would certainly have been a remarkable circumstance; but I must say that I think it important that, where circumstances are remarkable and may perhaps become the foundation of future history, we ought to endeavour to narrate them as accurately as we can. The memory of Sir William Harcourt is not strictly accurate in this matter. It is quite true that there was a lapse of 24 hours between the withdrawal of the first Circular and the publication of his letter; but the withdrawal of the Circular came first, and it was not until 24 hours afterwards that his letter appeared. The Cabinet met on the 4th of November and it was then determined that the Circular should be withdrawn. The notice that the Circular was withdrawn was circulated on that day, and that notice appeared in the morning papers of the 5th of November, together with the letter of Sir William Harcourt. It is none the worse letter for that; but, at all events, it was not the cause of the withdrawal of the first Circular.

But I pass from that point, and I now proceed to ask your Lordships this question—supposing that these authorities to which I have referred are accurate, and supposing that the view put forth in the letter of Sir William Harcourt is accurate, I do not ask on what we should endeavour to shape our policy in the future on this question, but I do ask, what is the limit which is to restrict the active administration of a Government that desires to act by the law as it stands at the present time? I apprehend that such a Government has one of two alternatives before it. It has the alternative, if it receives slaves on board its ships in territorial waters within the jurisdiction of slave-owning States, of being called upon to surrender them; or it has the alternative of refusing to receive slaves on board its ships under such circumstances, lest it should be called upon to surrender them. In my humble judgment Her Majesty's Government chose the right of these alternatives, and not the wrong, when they determined that we should not receive slaves on board our ships in such circumstances, because we could not submit to surrender them. This question does not turn upon the dry subtleties of International Law. The Government, in endeavouring to ascertain what should be the nature of the Instructions it was bound to issue, had to take as its guide not merely the rules of International Law, but our own engagements with foreign countries and the practice of past years. In speaking of our engagements with foreign countries I am not referring merely to our treaty engagements; in fact, I am not referring to the treaties we have entered into at all, but to the representations and to the promises which we have held out on this subject to foreign Powers. I am going to refer your Lordships to the Instructions which have for many years been issued to the captains of Her Majesty's ships. I do not say that it may not be right in the future to limit and to qualify those Instructions, but I wish to point to them as they stand at the present and have stood during the last 30 years, during which time the noble Viscount says the conduct of this country on this question was entirely satisfactory. Those Instructions are as follows:—

> "The captains of such of Her Majesty's ships as visit foreign ports or places are to take especial care to avoid all possible cause of offence or dissatisfaction to the official authorities, or to the inhabitants; and they are to cause all those under their orders to show due deference to the established rights, ceremonies, customs, and regulations of such places, and to conciliate, as far as possible, the good-will and respect of the inhabitants."

Now, my Lords, I ask your Lordships, what does that Instruction upon which out captains have hitherto been ordered to act require from them? Does it require them, when their ships are in the harbours of domestic slave-owning States, to hold out their ships as refuges open for fugitive slaves? I maintain that it is impossible that such a course of action would be sanctioned by this Instruction. But that is not the only Instruction which has been issued on this subject. Let us look at the Instruction that was issued during the Government of one who has certainly thoroughly understood the feeling of this country on the subject of slavery—I mean Lord Palmerston. This was the Instruction that was issued by his Government—

> "You will endeavour to make engagements for the suppression of the slave trade with those native chiefs on the coast of Africa with whom no such engagements are subsisting."

Now, what is to be the inducement held out to these slave-holding States for entering into these engagements?—because it must be borne in mind that we are entering month after month, and year after year, into these engagements, founded on these Instructions, with the petty slave-owning States on the coast of Africa. The following is the Instruction on this point:—

> "You will impress upon the natives the earnest desire of Great Britain for the improvement of their condition, and will very clearly point out to them the distinction between the export of slaves, which Great Britain is determined to put down, and the system of domestic slavery, with which she does not claim to interfere."

I say, change these Instructions for the future, if you like, but, as a matter of fair dealing, you must act up to them for the present. The noble Viscount said—"Look at your practice with regard to refugees; you have opened your ships to them, why should you not do so to the slaves? Why not put the slave at least as high as the refugee?" But the greatest and most important occasions when refugees are received on board our ships are when civil war is actually raging in their country, and then we receive them, not under the rules of International Law, but when the bonds of society are dissolved, and when the laws are silent in the midst of arms. What have been the Instructions given to commanders of Her Majesty's ships with reference to the reception of refugees on board their vessels? On the 24th of May, 1870, the Earl of Clarendon wrote to Mr. Thornton in consequence of an application which had been made to him by the Government of the United States in reference to a case of this kind, and his Instruction was one of great importance as affecting the position of British Ministers and Consuls in foreign countries relatively to the granting of asylum in consulates to political refugees. Lord Clarendon wrote as follows:—

> "Sir,—I have read your despatch, No. 103, of the 14th of March last, acquainting me that Mr. Fish had requested you to invite the attention of Her Majesty's Government to the difficulties which are constantly arising in certain Spanish-American countries, owing to the prevailing custom of granting asylum to political refugees in the houses of foreign diplomatic or consular agents in those countries, and stating that, with a view of putting a termination to this custom, Mr. Fish has suggested that the Governments of three or four principal countries, such as France and Germany, Great

> Britain and the United States, should combine in instructing their agents to refuse to receive refugees into their houses, and that they should take steps for causing these instructions to be made public. I have, in reply, to state to you that you were correct in informing Mr. Fish that you and other representatives of Great Britain in foreign countries had been instructed that the practice of granting an asylum to political refugees was considered to be highly objectionable, inasmuch as it must have a tendency to compromise the diplomatic agents and involve them in disagreeable discussions. These instructions must be strictly adhered to, but some discretion must be left to Her Majesty's Ministers and Consuls in urgent cases, where lives may be saved, not only at the moment, but by giving time for reflection to the victorious party. Her Majesty's Government are of opinion that the grant of asylum to political refugees, whether in British Missions or Consulates, especially in countries where its exercise is not complained of, should be made with extreme caution, but voluntarily to abjure the practice seems to them to be neither necessary nor humane.—I am,
>
> "CLARENDON."

It is clear from this Instruction that at the date of Lord Clarendon's despatch there was no general or unlimited practice, as far as political refugees are concerned.

But what are the facts with regard to fugitive slaves? Before entering upon this branch of the question permit me to say that it is not my intention to make any charges against previous Governments with reference to their conduct of these questions. I shall not do this, because I believe that these Governments have acted in the way they thought best calculated to promote the repression of slavery and to improve the condition of the slave populations in various parts of the world. In the Papers which have been laid before Parliament six cases relating to this particular question are mentioned as having occurred during a period of more than 30 years; and I would particularly ask your Lordships' attention to the number of cases and the length of time over which the occurrences extend, lest, owing to the fact that so few cases are mentioned, it should be supposed that no others arose. As matter of fact, these were the only cases which reached the point of what I may call "remonstrance," and I shall refer to them because, when a case of the kind is submitted to the authorities at home, and their opinion is pronounced, that opinion governs a large number of other cases which are not, and do not require to be, submitted to the Government for the pronunciation of opinions or decisions concerning them. I will commence with a case which occurred in 1837, when Lord Palmerston was Foreign Minister. In that year a negro slave escaped and got on board one of Her Majesty's ships (the *Rodney*) in Havannah. The captain of the ship restored the slave to his owner on demand made; and Lord Palmerston wrote to Her Majesty's Minister at Lisbon, and also to the captain of the vessel, expressing approval of the course which had been taken. The next case occurred in 1851, when a negro escaped from Brazil and got on board one of Her Majesty's ships. An inquiry was at once set on foot in order to ascertain whether the slave had been recently imported—and this was done because, in 1845, the Brazilian Government had entered into a Treaty under which they bound themselves not to import any additional slaves. The slave in question, having been imported later than 1845, was not surrendered for the reason that, by so importing him, the Brazilian Government had broken their Treaty; but if he had been imported before that date he would have been surrendered as being a domestic slave. The next case is one which came under the notice of Lord Clarendon in 1856. Two slaves having sought refuge on board a British merchant ship at Rio de Janeiro, Lord Clarendon ordered that they should be given up, remarking that if the men had got on board one of Her Majesty's ships of war the case would have been different. The third case to which I shall call attention shows the course taken by Her Majesty's Government in more recent times. In 1869 the Government of Mozambique complained that Captain Sulivan, of Her Majesty's ship *Daphne*, had received two domestic slaves on board, and, as the result of an inquiry instituted by Lord Clarendon, Captain Sulivan was censured; in addition to which Instructions were issued in order to prevent the recurrence of similar events. Those Instructions were couched in the following terms:—

> "Her Majesty's Minister for Foreign Affairs has decided that slaves coming on board ships of war within the territorial jurisdiction of the country from which they escape—that is to say, within three miles of the shore—should be returned to the owners."

We had some conversation the other night as to whether the noble Earl who was lately Secretary of State for Foreign Affairs (Earl Granville) was acquainted with this decision; and the noble Earl stated that though he forwarded these Papers soon after his accession to office, he did not know what was contained in them—and indeed the noble Earl represented the matter as one of ordinary practice and routine. What is the inference to be drawn from this statement? If the course taken by Lord Clarendon was entirely new, is it not fair to assume that the noble Lord (Lord Hammond), whom I see seated behind the noble Earl (Earl Granville), and who was for many years permanent Under Secretary at the Foreign Office, would have informed the noble Earl, on his accession to office, as to the circumstances of the case, and would have asked him whether he endorsed the policy of Lord Clarendon? I take it that he would have done this as a matter of course if the whole transaction had not been one of routine. The next case is one concerning certain slaves who escaped from Madagascar in 1869, and got on board one of Her Majesty's ships (the *Dryad*). The Consul in that place, writing on the question as it arose at the time to the head of the Foreign Office, expressed himself as follows:—

> "The point which I have had to decide involves a very important question of right—namely, Whether the commanders of British cruisers are justified in receiving on board their vessels, in Malagasy waters, slaves escaped from the shore, and in granting to such slaves the protection of the British flag; and I shall, therefore, be glad to learn that my opinion that such right extends only to slaves introduced to Madagascar from beyond the sea since the conclusion of the English Treaty, and not to domestic slaves, is approved by your Lordship and held to be sound in a legal point of view."

I now come to the case of the *Nymph*, in which it was complained that two slaves swam to the ship and had been taken on board and carried off. Well, Sir Leopold Heath presented his view of that matter to Lord Clarendon, and it was a directly opposite view; so that, in fact, Lord Clarendon had two contradictory views before him. Sir Leopold Heath said that—

> "Every man who put his foot upon English soil became *ipso facto* free, and that the deck of an English man-of-war was British territory; but that, as England waged war against the slave trade only, and not against domestic slavery, it was possible that compensation should be made to the owners of slaves escaping on board our ships and retained there."

Now, these were two opposite opinions; and what was the decision of Lord Clarendon?—and when I say Lord Clarendon, I say so because he was at the head of the Department. But it was quite impossible that a despatch of that importance to the commanders of Government ships could be regarded as coming from him alone—it must have been approved by the First Lord of the Admiralty: and, in point of fact, we find that the Secretary to the Admiralty a day or two afterwards forwards the despatch, with the approval of the Admiralty, to its destination. It was not, therefore, a merely departmental decision of Lord Clarendon, but was the solemn decision of the Government of the day. And what does it say—

> "Foreign Office, January 6, 1870.
>
> "I am directed by the Earl of Clarendon to acknowledge the receipt of your letter of the 7th ult., enclosing a letter from the commander of Her Majesty's Naval Forces on the East Coast of Africa relative to the complaints preferred against the commanders of Her Majesty's ships *Nymph* and *Dryad* by the Hova authorities, with regard to their proceedings in carrying off and then liberating certain domestic slaves at Majunga, who swam off to those vessels to escape from their masters, and in destroying certain slave dhows at the same port, and I am to state to you in reply, for the information of the Lords Commissioners of the Admiralty, that Lord Clarendon conceives that the commanders of Her Majesty's ships *Nymph* and *Dryad* were not justified in sailing away with the slaves in question in the manner above set forth. The status of slavery being acknowledged and lawful in Madagascar, the Commander of a British ship-of-war is not borne out in depriving the inhabitants of slaves who are rightfully their property, and the owners of such slaves are plainly entitled to compensation from us for the losses incurred at our hands by their abduction. If a British cruiser were at sea beyond the territorial jurisdiction of Madagascar, and slaves on shore were to seize a boat to escape to the British ship, the case would be different, and we might then fairly decline to surrender persons received on board under such circumstances; it is, however, impossible to approve the conduct of Her Majesty's officers in cases like the present, the facts of which simply amount to the entry into the waters of a friendly Power of a British ship, and to her depriving the subjects of that Power of their lawful property. Such a course can, moreover, have no other effect than to indispose the natives and authorities towards us, and would in all probability tend to prevent their carrying out their engagements for the suppression of the slave trade."—(No. 21.)

Now, my Lords, these are the cases before your Lordships. You have now heard what I consider to be, in the first place, the present view of International Law; in the next place, the character of the representations and engagements we have made with foreign countries: and, in the last place, cases which have occurred in practice at the Foreign Office. And your Lordships will bear in mind that, with regard to the most prominent of those cases, every one of them has led to communications of the decisions of our Government to the foreign Power—Portugal, Spain, Madagascar, as the case might be—conveying to them representations of the principles on which this country was prepared to act. I am not now dealing with policy, but with acts of administration, and I contend that if it was necessary for the Government of the day to issue Instructions, they took a course which was most in favour of the slave. They declined to follow the practice of surrendering the slave which has hitherto been acted upon, and adopted the milder and better alternative of not receiving, except he were in danger, a slave on board, lest it might raise the difficult and invidious question of whether they were bound afterwards to surrender the slave.

But now, my Lords, I come to what in my judgment is a simpler and I also think a much more agreeable task. I come to consider the question—what is the policy which this country ought to pursue, and how she ought to pursue it. The noble Viscount did no more than justice to the Government when he quoted the passage he read from the most gracious Speech of Her Majesty. I desire, also, to advert to it as expressing the policy which on this subject Her Majesty's Government wishes to pursue. My noble Friend read the earlier part of the paragraph—

> "The humane and enlightened policy consistently pursued by this country in putting an end to slavery within her own dependencies, and in suppressing the Slave Trade throughout the world, makes it important that the action of British National ships in the territorial waters of Foreign States should be in harmony with these great principles."

That is the policy which Her Majesty's Government wish to pursue. The Speech proceeds—

> "I have, therefore, given directions for the issue of a Royal Commission to inquire into all Treaty engagements and other International obligations bearing upon this subject, and all instructions from time to time issued to my naval officers, with a view to ascertain"—

not what the law is; we do not want to inquire into that; not what the practice is, for the purpose of following that practice—what we want to ascertain is—

> "whether any steps ought to be taken to secure for my ships and their Commanders abroad greater power for the maintenance of the right of personal liberty."

My Lords, if Her Majesty's Government were satisfied with the state of things now existing, they would not have placed those words in the mouth of Her Majesty, and they would not have issued the Commission. If we had been satisfied with the state of things which has hitherto prevailed, we had only to follow that state of things. But we were not satisfied with and we desired to alter that state of things, and, further, we desired to know how best and how safest that alteration could be made. But it is not for a Government, and it is not for a Department of a Government, on a great question of this kind, connected with and involving International Law—our relations with other countries—it may be involving the existence even of municipal law—it is not for a Government, or a Department of a Government, of itself to change its policy in a matter of this kind.

My Lords, the noble Viscount referred to the history of dealings with slavery in this country, and he said with great truth that the practice and the law on this subject were not at any one moment to be stereotyped. I gladly repeat those words. My Lords, the history of the progress of this country in its dealings with slavery is about one of the most instructive and interesting histories that any person can peruse, and I ask leave to say that the progress of our action with regard to slavery is one of the highest glories of Christianity and of that civilization of which Christianity was the harbinger and the pioneer. Let me remind you of what it was. It is not much more than 100 years ago that one of the great public writers of Europe, to whose works at this day we still refer, announced it as his opinion as a matter of International Law that, however much the practice had fallen into desuetude, it was the absolute right of those who conquered in war to reduce the people whom they conquered into a state of slavery. About the same time—within a few years of it—we find one who filled with great lustre the seat I now unworthily occupy joining with another counsel nearly equally eminent, and pronouncing it as his and their opinion that if a slave came from Jamaica and settled in London, it was undoubted law that he might be kept in confinement and sent again to Jamaica. My Lords, what was the law laid down in Somerset's case? If your Lordships read the case you will find page after page of the most grave and solemn argument in support of slavery, and grave doubts expressed as to whether the decision which might be ultimately arrived at in the other view could be sustained. But the case was brought to trial under the auspices of Granville Sharp, and the negro was ordered to be set free. What have we next? The bombardment of Algiers, in 1816. That put an end to a system of slavery certainly as disgraceful as the slavery of the negro. And what next? That long chapter of history with regard to the slave trade, ranging from 1807 to 1842, gradually bit by bit developing itself and making progress; first rising into illegality, then swelling into piracy, then advancing into that which had been so long and strenuously denied—the right of search. What have we next? The abolition of slavery in our own colonies in 1833. What have you as the latest and greatest of all? In 1865 the termination of slavery in the United States. I am quite willing to believe, and I hail with pleasure the idea, that we have reached a new point of departure—perhaps the last in this great question. I believe that the principle which has been developing itself through all the years I have mentioned has not ceased developing itself yet; and it has been subjected lately to greater and perhaps final trials. My Lords, I own that, speaking for myself, I should be extremely glad if, preserving all the doctrines of International Law, we could reduce the question to this point—that with regard to every British ship before it is sent to foreign waters where slavery is permitted, we should be understood to hold this language—"You allow domestic slavery. We are not going to make war against it, nor shall we attempt to terminate it by force until the time comes when you relinquish it. We are not going to seduce or invite your slaves to leave their masters and come on board our ships; but we give you notice that, if one of your slaves comes to our ship, you are not to be deceived or disappointed, for, if he claims the protection of the British flag, that protection he shall have." That would be a frank and fair statement of what we intend to do. I have been much amused lately in reading a collection of papers which is to be found in your Lordships' library, but which is not of much practical importance now—I mean the Treaties we have made in the last century with Tunis, Tripoli, and others of what are called barbarous States. We had then an object to obtain and we set about it in a business-like manner. In every one of these Treaties there is a uniform clause describing the course to be pursued with regard to escaped captives—

> "When any of His Majesty's ships of war shall appear before Tripoli, upon notice thereof given to the English Consul, or by the commander of the said ships to the chief governors of Tripoli, public proclamation shall be immediately made to secure the captives; and if after that any captives whatsoever make their escape on board any of the said ships of war, they shall not be required back again, nor shall the said consul or commander, or any other his said Majesty's subjects be obliged to pay anything for the said captives."

That was a very fair game in its way and this clause showed how it was to be played. Each State stood on its rights. We gave them notice that, when our ships arrived in their territorial waters, they must look after their slaves, but, if any slaves got away, there was a fair and frank understanding that the owners must not expect to have them back again. I do not desire to see anything so rough renewed now, but some understanding of this kind might be come to with a State in which slavery is permitted. I beg your Lordships, moreover, to remember how small a question this is every day becoming. What portion of Europe and of America is interested in it? Spain has Cuba. In the domains of Portugal slavery is professedly at an end. In Brazil slavery is dying out, and must come to an end in a short time. There remain therefore the comparatively small territories of Cuba, Zanzibar, Egypt to a certain extent, and the smaller States on the East Coast of Africa. It is for this purpose that the Government have recommended a Royal Commission, and I beg your Lordships to bear in mind the ends which have been answered in former cases by the adoption of the same course. Certainly the two greatest questions involving International Law which have arisen in my time have been the Neutrality Laws and the Naturalization Laws. What did we do in regard to the former? We acted on the existing Neutrality Laws during the American War, and we thought we had complied with them; but the country was of opinion that circumstances had altered so much that the principles of International Law required to be re-considered and put in harmony with the present day; and a Commission was appointed. They considered the question and made a Report, and at the breaking out of the Franco-German War your Lordships were enabled to pass a statute, which would have been impossible if the Act had not been preceded by a Commission. With respect to the Naturalization Laws, exactly the same state of things existed. There was no doubt as to the law, or of our international obligations, but the country desired to see the question placed on a wider and broader basis. The late Lord Clarendon was appointed Chairman of the Naturalization Commission. The noble Viscount who commenced this debate (Viscount Cardwell) was also, I think, a Member. That Commission also made a Report which enabled alterations to be made in the law, and an Act to be passed to give effect to these variations.

The noble Viscount said that this was not a matter involving Party considerations, and I rejoice to think that slavery is no Party question. We have questions on which we disagree, but I thank God that upon this question there is no disagreement. I am ashamed to speak even for a moment as if slavery could be a question on which Her Majesty's Government could entertain any doubt. I have, however, heard it stated—not in this House, but "elsewhere"—probably in the heat of controversy, that there has been a lack of earnestness and energy on the part of the Government in dealing with this question of slavery. My Lords, my noble Friend the Secretary of State for Foreign Affairs sits in this House not only inheriting the name and title, but cherishing the memory, of that great Minister who was responsible for that statute, which I take leave to say might be printed in letters of gold—that which emancipated the negroes in our West Indian possessions. Is it likely that he would desire to turn his back on the policy of this country upon the question of slavery? What has been done during the time when my noble Friend has been responsible for the conduct of affairs at the Foreign Office? He has made a Treaty with Zanzibar, supplementing the former Treaty, and removing the grave difficulties which had occurred in the construction of the former Treaty. My noble Friend has exerted himself to get the slave-market at Djeddah closed; and, if we may accept the telegraphic news, the state of domestic slavery is abolished in Zanzibar for 3,000 miles along the coast of the Seyyid's Dominions. Well, the Secretary of State for India—is hè likely to alter the policy of this country in regard to slavery? He is now asking Parliament for greater powers for the suppression of the Slave Trade in those countries under the jurisdiction of the Viceroy of India. I then come to the Secretary of State for the Colonies. He at a time when it was a subject of much criticism that action should be taken—when the embers of a war were still smouldering—adopted the strong and noble course of putting an end to coercive slavery along the Gold Coast. These are the three Ministers responsible for the principal questions which arise regarding slavery. And I would say, even with regard to the Admiralty, has it shown no anxiety on this subject? If I am not misinformed, the force stationed upon the Gold Coast of Africa in 1875 was nearly doubled in point of men and guns compared with what it was in 1874. My Lords, I am ashamed to speak of these things as if there was any merit on the part of the Government in taking these measures. We have done nothing that would not have been done by any other Government; but I have referred to the matter to show that there has not been any supineness on the part of Her Majesty's Government in this matter. The Petition presented by the noble Viscount asks for the withdrawal of the last Slave Circular. That, however, would leave in force various former Circulars and precedents infinitely more obnoxious than anything contained in that Circular. Her Majesty's Government have not concealed — they do not desire to conceal—the policy which it is their object to follow, and to that object they intend to adhere. We believe it is one which will be justified by the Report we may look for from the Royal Commission; and I trust we are now about to take a step, and that not a small one nor an unimportant one, towards the time when we may anticipate, that it may be the destiny of this country to consummate, as it was her privilege to commence, the overthrow of that nefarious system which has been at once the curse and the disgrace of humanity.

LORD SELBORNE: My Lords, I think your Lordships will have heard with great satisfaction much of the latter part of my noble and learned Friend's speech; because in the latter part of that speech he has unequivocally declared the adherence of Her Majesty's Government to the policy which we on this side have at heart. I must, however, own that I think my noble and learned Friend's conclusions, agreeing as he does in that policy, are not those which might have been expected either from the course which Her Majesty's Government has actually taken, or from the general tenour of his own arguments. I confess there were some points in that argument the coherence of which was not to my mind extremely manifest—but, if I rightly understood him, he contended you cannot, in the present state of international obligations, get nearer to that policy in favour of the slave which Her Majesty's Government have at heart than you have got by the second Circular, and that in this state of international obligations you would do harm rather than good to the slave, if you were to comply with the prayer of the present Petition; the effect of which—as he assumed—must be, to bring back into operation other orders, more unfavourable to the slave than that Circular. I need not tell your Lordships that my noble and learned Friend behind me (Viscount Cardwell) did not mean, and the Petitioners did not mean, that you should withdraw this Circular, and leave other things of the same character in force. No such consequence need in any way follow. What we think, and what we mean, is, that both this Circular, which we regard as improperly and unnecessarily adverse to liberty, and everything else of the same character which may have preceded it, should be withdrawn. I should have supposed, from my noble and learned Friend's general argument, that he was looking to the Commission which has been appointed, to devise some means of relaxing those international obligations which he considers at present to fetter our hands and retard our progress—some means of enabling us to do that which shall result in the conclusion that no commander of a British ship of war in a foreign port or elsewhere is to deliver up or remove from his deck on the ground of slavery a slave who has once sought refuge there. But I said just now there were some things in the speech of my noble and learned Friend the coherence of which I did not distinctly understand, and on this critical and cardinal point I confess I was unable to follow him. He ended by suggesting a very plain, simple, and obvious way of getting rid of those supposed international obligations which, according to him, create our present difficulty—a way which we did not need a Royal Commission to point out, for the road is so plain and open that he who reads may run upon it—that is, to give general public notice which all the world may understand that for the time to come, at all events, whatever may have been the understanding in times past, British ships do not desire to enter foreign waters, and will not enter them, fettered by any obligation to deliver up a fugitive slave. But why should we have a Commission to point out how we are to issue such notice? If the giving of such a notice would suffice to get rid of the difficulty, instead of issuing the first Circular or the second, or the Calcutta Instructions, or any other, the plain and obvious thing to do was to make it as clear as day before all the nations of the world that those were the terms on which for the future we would enter foreign territorial waters. If this was the right thing to do, why was it not done? And why have we now got, instead of it, this Second Circular, and this Commission? The speech of my noble and learned Friend has confirmed me in the opinion which from the first I had entertained—that there is really no question of International Law in this matter at all. It is a question of public policy—of what is due to the honour and dignity of this country, and to those great interests of the world which our policy in this matter alone has in view. I observed that the noble and learned

Lord, in endeavouring to show why it was necessary to issue some such Circular—answering on that point feebly and ineffectually the noble Viscount behind me (Viscount Cardwell) — adopted a somewhat different mode of expression from that which is reported to have been used by the head of the Government in "another place." I could not help taking note of the remarkable words with which the Prime Minister is reported to have begun his speech. They were—

> "From an abstract point of view nothing can be more disagreeable, and certainly nothing more difficult, than to codify International Law respecting fugitive slaves in territorial waters."

Until I read those words I was not aware there was any such thing as International Law respecting fugitive slaves in territorial waters to codify. My noble and learned Friend has expressed himself in a somewhat different manner. He thought that we ought to codify the rules and traditions which had prevailed in that Department. At all events, such rules and traditions are not part of International Law. Whether they are, or are not, of such an inconsistent and contradictory character as my noble and learned Friend has represented, I cannot conceive anything to which the term and the idea of codification can be more inapplicable. While, however, I am unable to admit, that on this particular subject of fugitive slaves there is any International Law at all, I agree so far with my noble and learned Friend, that I also think it is a matter of plain common sense how the principles of what is called International Law should be applied to that subject. I will read a few sentences from one of the best works of an eminent author (Mr. Justice Story), quoted by my noble and learned Friend on the Woolsack in which he states the meaning of the doctrine that the comity of nations and of International Law requires one nation to recognize, and in some cases, and under some limitations, to give effect to the laws of another. The passages will be found in Sections 35 to 38 of the work on the Conflict of Laws. He says—

> "Section 35.—The true foundation, on which the administration of International Law must rest, is that the rules which are to govern are those which arise from mutual interest and utility; from a sense of the inconveniences which would result from a contrary doctrine; and from a sort of moral necessity to do justice, in order that justice may be done to us in return." . . . .
>
> "Section 36.—But of the nature and extent and utility of this recognition of foreign laws, respecting the state and condition of persons, every nation must judge for itself. It is, therefore, in the strictest sense a matter of the comity of nations, and not of any absolute paramount obligation, superseding all discretion on the subject."

He adds, what seems to me to be very pertinent—

> "Section 37.—Vattel has with great propriety said, 'That it belongs exclusively to each nation to form its own judgment of what its conscience prescribes to it, of what it can or cannot do, of what it is proper or improper for it to do. And, of course, it rests solely with it to examine and determine whether it can perform any office for another nation without neglecting what it owes to itself.'"

And he goes on to say—

> "Section 38.—There is, then, not only no impropriety in the use of the phrase, 'comity of nations,' but it is the most appropriate phrase to express the true foundation and extent of the obligations of the laws of one nation within the territories of another. It is derived altogether from the voluntary consent of the latter; and is inadmissible when it is contrary to its known policy or prejudicial to its interests."

Now I ask you to apply these tests here. What says the conscience of this country as to the delivering up of fugitive slaves who have taken refuge on board Her Majesty's ships of war? Is it a thing which this country, foremost in the liberation and emancipation of slaves, can do? Is it a thing this country can do consistently with what it owes to itself? Is it a thing which is admissible as consistent with the known policy of England? No one of these questions can be answered in the affirmative. I, therefore, maintain that there is no ground whatever upon which any foreign nation independently of the terms of any particular Treaties—which might, of course, make all the difference—can call upon this country to deliver up a fugitive slave on board a British ship. With regard to the doctrine of ex-territoriality, my noble and learned Friend will excuse me saying that all his illustrations were superfluous. We have nothing to do with the recognition of marriages solemnized in territorial waters or with the question of the personal *status* even of the fugitive slave when within foreign territorial waters on board a British man-of-war as it would be regarded by an external law. On that subject there has been supposed to be some discrepancy between the language held by Mr. Justice Holroyd and Mr. Justice Best; but, without going into it, I will assume, that by the doctrine of exterritoriality the privilege of a ship is established for the ship, for those who belong to it, and for the nation to which she belongs, and that it is neutral and colourless with regard to any question of *status* affecting other persons. If so, that question of *status* may properly be left to be dealt with by those laws which are or may be concerned with it: but there is no International Law—Treaties apart—which can compel the commander of a British ship of war to recognize, in any case whatever, the *status* of slavery; and the principles and policy of the laws of Great Britain, which on the deck of his ship he is bound to observe and to respect, forbid him to do so. As long as a British ship of war is in territorial waters she is inviolable—she is exempt from the foreign local jurisdiction. No foreign foot can be set on board of her to interfere with any one who is there; if any one is there, who should not be there, it is a subject of remonstrance between Government and Government; and if any foreign Government which feels itself aggrieved has not received satisfaction, the remedy is to give notice, if it should think fit, that British ships shall not be admitted for the future to its waters. When a man has once been received under the protection of the British flag, some reason must be shown why, in the particular case, that protection should be withdrawn. Is there any reason whatever, founded on international obligations, why the captain of a British ship, who cannot be compelled to do so by any foreign interference, should voluntarily, and by the direction of his own Government, recognize any man as a slave on board a British ship of war? I say, my Lords, there is not; and, further, I do not see how it could be done. In the case of "Forbes *v.* Cochrane," to which I have referred, another learned Judge, Mr. Justice Bailey, pointed out the practical impediments to any inquiry into the *status* of slavery by the captain of a man-of-war. It is impossible that he could make any just or useful inquiry—it would be to impose impossible conditions. There was more wisdom, and a much sounder view, too, of what is reasonable as between nations, in the old Treaties with the Barbary States, to which my noble and learned Friend himself referred: and it may not be out of place to observe that those foreign countries, with which we have chiefly to deal in this matter, are under Governments more like the Barbary States than the Governments of civilized Europe. When a British ship of war first entered any territorial waters of those States, a certain notice was to be given; and it was then the business of the masters of Christian slaves to prevent, if they could, those slaves from getting on board the ship. If once they did get on board, they were not afterwards to be given up, nor was any compensation to be made for them. I assume that no improper means are used to induce slaves to come on board; and, assuming this, it is not more reasonable, on principles of International Law, to regard the commander of a foreign ship as a wrong-doer for not giving them back, than it would be for him to make the laxity of the local police, which enabled them, though uninvited, to get there, a ground of international complaint. But it is superfluous to dwell longer on this point, because the second Circular, which we are discussing, in the strangest way begins with defining the case with which it deals as that of a person who, when he comes on board, professes or appears to be a slave, and ends by saying that, if a demand is made for his surrender he is not to be surrendered, and that no inquiry is to be made into the fact of his slavery. Therefore, the Circular distinctly admits that the captain of a British ship is not called upon to inform himself by inquiry or otherwise whether the man be a slave or not; and the notion of the existence of any obligation either to make that inquiry or to surrender him on demand is absolutely renounced by the Circular itself. If this were the whole effect of the Circular, my noble and learned Friend's argument, that it is a Circular in favour of liberty, might, of course, have some reason in it. But, notwithstanding all this, it says—and this is the sting of the whole—that, although you are not to entertain any demand for the surrender or enter into any examination into the *status* of the slave, yet with regard to this particular class of person—a person professing or appearing to be a fugitive slave—you are not in the first place to admit him on board unless his life be in danger; and then, secondly, if, in order to save him from that danger, you have received him, you ought not, after that danger is past, to permit him to continue on board. He is not to be surrendered upon demand; but—for this is what it really comes to—he is to be surrendered without demand. This is no forced construction: it is the thing really meant, as is proved both by a comparison between this and the preceding paragraph, which relates to a slave received on board on the high seas, and by the line of argument used by my noble and learned Friend himself in its defence. I have not thought it necessary to dwell upon the paragraph relating to the reception of fugitive slaves on board British ships on the high seas, because, however little such an explanation may seem to be in accordance with the impression which has been made upon most people by the language used, my noble and learned Friend has assured us, that the directions contained in that paragraph are intended to encourage the commanders of British ships of war to receive fugitive slaves on board their ships more readily than they would receive other strangers. But of this, at all events, there can be no doubt—that, under the second paragraph, a real protection is to be given to the fugitive slave, once received under those circumstances. These are the words: "In any case in which, for reasons which you deem adequate, you have received a fugitive slave into your ship, and taken him under the protection of the British flag upon the high seas beyond the limit of territorial waters, you should retain him in your ship, if he desires to remain, until you have landed him in some country or transferred him to some other ship where his liberty will be recognized and respected. But within the territorial waters of a foreign State you are bound by the comity of nations, while maintaining the proper exemption of your ship from local jurisdiction, not to allow her to become a shelter for those who would be chargeable with a violation of the law of the place." The conclusion, therefore, that a man, into whose *status* of slavery you are not to inquire, is not to be permitted to continue on board, if he "professes" or "appears" to be a slave, is based upon upon the argument that there is a general obligation on the part of foreign public ships, when within the territorial waters of any State, not to give "shelter to those who would be chargeable with a violation of the law of the place." You have received this man on board for what the Circular assumes to be some sufficient reasons: you have neither invited nor encouraged any violation of the law of the place: the local law, supposed to be violated, is the law of slavery, depending on the man's *status* as a slave:—if he is not a slave, he cannot be chargeable, on that ground, with any violation of the law of the place; you are not to inquire whether he is a slave or not: and yet you are to compel him to leave the ship, lest you should give shelter to one who is violating the law of the place. Can anything be more contradictory? That order now stands, in the general code of Admiralty instructions, side by side with the other order concerning political refugees, referred to by the noble Viscount behind me (Viscount Cardwell), which is numbered 381 in the addenda to the general Admiralty instructions, published in 1868. I will take the liberty of reading it:—

> "Her Majesty's ships, while lying in the ports of a foreign country, are not to receive on board persons (although they may be British subjects) seeking refuge for the purpose of evading the laws of the foreign country to which they may have become amenable. During political disturbances or popular tumults refuge may be afforded to persons flying from imminent personal danger. In such cases care must be taken that refugees do not carry on from Her Majesty's ships correspondence with their partisans, and the earliest opportunity must be taken to transfer them to some place of safety."

Political refugees may be taken on board, and the earliest opportunity must be taken to transfer them to some place of safety. A political refugee may be a person of a much more dangerous character than a poor slave; he may be the means of perpetuating a long and serious disturbance of the peace of his country; but the dictates of humanity and the general comity of nations are held to justify receiving him and giving him shelter, even in the territorial waters of the country whose laws he is violating and from whose jurisdiction he is seeking to escape; and in continuing that protection when once it has been accorded until he has been transferred to a place of safety. But why are not these principles which are good for one case not also good for the other? Why is the political refugee to be transferred to a place of safety while the fugitive slave is compelled to go on shore, where he will fall immediately into the hands of his master. I assume that our captains do not go into foreign waters for the purpose of inviting breaches of foreign law, or for the purpose of liberating domestic slaves; I assume that slaves come on board in such exceptional circumstances as are consistent with an adherence to the general Instructions—and if they do it would be wrong to give them up.

The order as to political refugees shows, as clearly as anything can, that proper respect may be shown by the commander of a British ship to the laws of the country in whose waters he is lying, without obliging him in all cases to make himself an executioner of those laws, or even to refuse shelter to fugitives, who maybe are in danger from them. My noble and learned Friend referred to the general Admiralty Instructions, which enjoin upon the captains of Her Majesty's ships, generally, in foreign parts and places, the duty of showing a conciliatory line of conduct towards the authorities and inhabitants, and of showing deference to their established rights, ceremonies, customs, and regulations. He has also referred to the various instructions issued for the guidance of naval officers engaged in the suppression of the Slave Trade, in which they are told to observe and to point out the distinction between the Slave Trade, which Great Britain is determined to put down, and the system of domestic slavery, with which she does not claim to interfere. I could not help thinking, that, in referring to those instructions, my noble and learned Friend was touching upon ground dangerous to his own argument, and properly belonging to his opponents. It is perfectly true, that the general obligations of British commanders are such as are pointed out in those general Instructions; it is also true that they are sufficiently pointed out there. Nobody desires that these Instructions should be withdrawn; and I do not understand my noble and learned Friend to say that they are not sufficient for their purpose. We on this side say that they are sufficient for that purpose: and we deny that they furnish any warrant whatever for the present circular; which, if the ground taken up by it had been really covered by them, would, of course, never have been issued.

My Lords, I come to another branch of the subject on which I differ greatly from my noble and learned Friend. I take issue with him on a matter of fact. I deny as a matter of fact that we have down to this time entered into foreign territorial waters upon a general and public understanding that we would give up fugitive slaves. My noble and learned Friend contends that there have been orders issued which affirm in some way the doctrine that fugitive slaves are to be delivered up; and then he says that some of these orders were communicated to foreign Governments and that they are entitled to suppose we enter their waters on those terms. I deny it. I say the generally understood rule has been directly the contrary, and is that for which we now contend. And I think I have good reason for saying so. What say all our naval commanders? If all foreign governments understood these people were to be given up, how did it happen in 1869 that Sir Leopold Heath understood the direct contrary? When the Law Officers of the Bombay Government were consulted by the Resident in the Persian Gulf they understood the rule to be exactly the contrary. How happens it that a gallant and distinguished Officer, speaking the other night in "another place," had never known or heard of any rule except the direct contrary? But my noble and learned Friend has referred to several instances which he considers to establish his case. I will take those instances in their order. First as to the case of the negro stowaway which happened at Havannah in 1837, Lord Palmerston gave instructions that he should be delivered up because Lord Palmerston was informed that he came on board under suspicious circumstances. Lord Palmerston dealt with that particular case upon its particular circumstances; and I venture to say that no Government would deal with such a case in any other way. As to the warning which Lord Clarendon gave to a captain at Rio that he was not to take on board those who by the law of Brazil were recognized as slaves, Lord Clarendon at the same time said it should be borne in mind that if a slave were to take refuge on board a British ship it would be the duty of the captain to refuse to surrender the slave. I think an ingenious suggestion was made in a very clever speech "elsewhere," that this was in consequence of the Aberdeen Act. I knew we should not hear that from my noble and learned Friend, because that Act has nothing to do with slaves coming on board. It is quite clear that whether Lord Clarendon changed his mind or not Lord Clarendon knew no rule but this—that a slave taking refuge on board of a British ship of war was not to be surrendered. I do not think your Lordships will find in these Papers any sufficient ground for believing that Lord Clarendon ever altered his mind upon the general principles. As to the case at Mozambique in 1869, I must say I felt a little surprised at the manner in which the facts of that case seemed to be used by my noble and learned Friend. I mean the case of the ship *Daphne* and Captain Sulivan. As I read the Papers it was not the case of a slave at all. The circumstances are remarkable. For about two years before 1869 the Government of Portugal had been deliberating upon the policy of emancipating the slaves in all their colonies. Mozambique was one of those colonies. In a letter addressed by Commander Sulivan to Commodore Sir Leopold Heath on this subject in October, 1869, he says—

> "You will observe that he states that the Order abolishing slavery was published only two days before our arrival, though the abolition was decreed by the Portuguese Government in February last, and you will observe that, while the Governor in his letter calls them 'free negroes,' in which case they would be perfectly justified in coming on board, yet he adds that some of them belonged to the inhabitants and to some Baneans (who are and who always claim the right to be considered British subjects), and that these persons request that the negroes should be returned to them."

The men who came on board the *Daphne*, therefore, were not slaves at all; and, moreover, they were claimed, not as slaves, but as free men who, in contravention of the laws of their country, had attempted to leave without having passports. From first to last the *status* of slavery was not imputed to them, although Captain Sulivan thought that they had been treated as slaves. Therefore, in that case a very different question was raised, and Lord Clarendon, in expressing his disapproval of the conduct of Captain Sulivan in carrying off the men, must not be understood to have intended to make a declaration that all fugitive slaves ought to be surrendered back into slavery. It appears from the communication from the Secretary of the Admiralty to Mr. Hammond, dated April 12, 1870, that it was proposed to put Captain Sulivan on his trial by court martial for carrying off Portuguese subjects from Mozambique without passports—

> "contrary to the law of the place, and in defiance of the requisition made upon him by the Government (such conduct being contrary to the Queen's Regulations), and to add charges for detaining the negroes against their will and permitting them to be ill-treated."

Turning now to the case of the *Dryad* and *Nymph* in Madagascar, I confess that if one looked only at the language of Lord Clarendon's letter, one might perhaps have fallen into the not unnatural mistake of supposing that he approved fugitive slaves who had sought refuge on board our national ships being returned to their lawful owners. No doubt in reference to this case Lord Clarendon did see something that appears inconsistent with the general rule on the subject which he laid down in 1856, and he used language harsh and grating to our ears when he spoke of slaves as property which should be returned to their lawful owners. He was, however, then disapproving what had been done because it was contrary to the express stipulations of a Treaty which we had just before entered into with the Queen of Madagascar, Article 9 of which was to the following effect:—

> "Her Majesty the Queen of Madagascar engages to permit the ships of War of Her Britannic Majesty freely to enter into the military ports, rivers, and creeks situated within her dominions, and to allow such ships to provide themselves, at a fair and moderate price, with such supplies, stores, and provisions as they may from time to time stand in need of. No subject of the Queen of Madagascar shall be permitted to embark on board any British ship, except such as shall have received a passport from the Malagasy authorities. The rights of sovereignty shall, in all cases, be respected in the domains of the one Sovereign by the subjects of the other."

Article 16 gave British ships of war the right at all times to enter the ports, rivers, and creeks within the dominion of the Queen of Madagascar, in order to capture all vessels engaged in piracy. By Article 17—

> "No persons from beyond sea shall be landed, purchased, or sold as slaves in any part of

Madagascar, and Her Majesty the Queen of Madagascar consents that British cruisers shall have the right of searching any Malagasy or Arab vessel suspected of being engaged in the slave trade, whether under sail or at anchor in the waters of Madagascar . . . . and, if any such vessels shall prove to be engaged in the slave trade, they may be dealt with as pirates."

What had been done in this case as alleged by the Madagascar authorities was not that fugitive slaves had been taken away, but that the act done was contrary to the Treaty obligation not to take away Madagascar subjects without passports. In the despatch from Commander Colomb to Commodore Sir Leopold Heath, dated the 1st of October, 1869, the former states that—

> "Several runaway slaves having escaped to the ship from the town of Majunga and claimed my protection, I temporarily granted it, and the Governor then remonstrating in very proper terms, referring me to a stipulation of the Treaty of 1865, whereby no 'subject of the Queen of Madagascar was to be permitted to come on board a British ship without a passport,' I said I could not consider a slave to be a 'subject' in the terms of the Treaty, and that a British man-of-war was so far English soil that a slave reaching that asylum should be freed. The Governor replied that perhaps I was right, but requested an acknowledgment from me, which I gave him, observing that I should not finally deal with the escaped slaves until I had the opinion of the British Consul at Tamatave."

The complaint in that case therefore was founded on the fact that there had been a violation of express Treaty stipulations of great importance, which had been entered into with the view of obtaining the assistance of the Sovereign of Madagascar in putting down the slave trade in her territorial waters; and therefore Lord Clarendon, although I admit he expressed himself in harsh language which sounds painfully upon our ears, laid down no universal and general principle such as that which the noble and learned Lord on the Woolsack attributed to him, and said were afterwards embodied in the Instructions of 1871.

THE LORD CHANCELLOR: What I said was that those Instructions were issued by the Commodore of the East India station in 1871, but that they must have been issued with the cognizance of the Foreign Office.

LORD SELBORNE: If the noble and learned Lord means that the origin of these Instructions issued to the East India station probably was the language in Lord Clarendon's letter, I shall not care to controvert his position; but what I do assert is that Lord Clarendon himself never issued those Instructions nor contemplated their being drawn up; nor do I believe that there is any ground for the supposition, that they were issued with the cognizance of any Minister who ever presided at the Foreign Office. And, of course, those who disapprove of the present Circular must disapprove of those Instructions also. My Lords, I have now given to your Lordships the reasons which make me think that the reply of the noble and learned Lord to the question why, Her Majesty's Government should have thought it necessary to issue these Circulars dealing with this subject generally instead of waiting to deal with each case separately as it arose, was entirely unsatisfactory. Such a thing was never before thought necessary, and was never before attempted, unless the Instructions of the Commodore on the East India Station in 1871 can be considered to be an exception; and that, if I am right, was the act of a naval commander, and not of the Queen's Government, and it had, after all, only a local operation. For my own part, I must say that I cannot conceive a more unwise thing than to attempt to lay down a general rule of this kind. It is quite clear that, if Treaty engagements are violated, you have a rule to act upon, different from that which may be applicable when there is no Treaty. Every case ought to be dealt with according to its own circumstances; and experience has not hitherto furnished any ground for believing that it will be difficult to deal with each individual case as it arises. What has happened in this case shows the difficulties into which you get, when you attempt to establish any universal rule. It is said that it was necessary to do something, because of the questions which had arisen in the Persian Gulf, and because the Indian Government had laid down, subject to the approval or disapproval of Her Majesty's Government, certain rules, unfavourable to liberty, of which Her Majesty's Government did not approve. As far, however, as I can form an opinion, the rules laid down by the Indian Government were in no degree more unfavourable to liberty than the first Circular, which repeated their most questionable provisions; and, if it is right now either to appoint a Royal Commission, or to take the course recommended in the speech of my noble and learned Friend, I cannot understand why, when that Circular was withdrawn, the second should have been issued. Why would it not have been sufficient for Her Majesty's Government to disallow the Calcutta Instructions, and to impress upon the Governor General at Calcutta the importance of not allowing Her Majesty's ships in the Persian Gulf to interfere unnecessarily with the pearl fisheries, by remaining so near the shore that slaves could swim out to and seek refuge on board of their vessels, in a way calculated substantially to embarrass that trade? I have from the beginning had much difficulty in understanding what the Royal Commission which has been appointed had to do; and I must say that my difficulty has been increased by the speech which has been addressed to your Lordships by my noble and learned Friend on the Woolsack. I feel sure that the labours of the Commission will not be facilitated by the fact that they have before them any foregone conclusion, described as necessarily resulting from the present state of International Law and obligations. I do not see how it can be for the advantage of the Government, either to be responsible, while the Commission is sitting, for a Circular, the principle of which they do not themselves wish to see maintained, or to have that principle, while it is still embodied in a document to which they have given their authority, set aside, and condemned. On the whole, I cannot but think that it would have been for the credit of the Government and the honour of the country to have withdrawn a document which cannot be maintained.

THE EARL OF DERBY: My Lords, I should have been well content to leave this case, as far as the Government is concerned, in the hands of my noble and learned Friend on the Woolsack, who has covered the whole ground of the argument, but for the fact that the Department with which I am connected has had most to do with the question, and I might, by remaining silent, cause it to be supposed that I wished to escape my share of whatever responsibility belongs to this business. As far as I can gather, the whole of this controversy has turned upon two questions of very unequal degrees of importance. The first question is, whether any Circular or general Instructions—by whatever name you may choose to call it—ought to have been issued; and the second question is, assuming that the issuing of the Circular was right, whether we have or have not laid down accurately and fairly in the Circular those recognized doctrines of International Law by which the persons to whom it is addressed ought to be guided. With regard to the first question, you require little argument to enable you to form your opinion. It has been shown in these Papers—and, indeed, it was evident from the first to every one who knows the ordinary course of Public Business—that Instructions in this matter were not volunteered. They were called for. Particular cases had arisen, and others might arise, on which it was necessary that naval officers should decide one way or another. I have never been able even to understand what is meant by saying—though I have seen it pretty often said in the Press, and sometimes in speeches—"It is a mistake to lay down any general rule; the officers of the Navy might have been trusted to exercise a wise discretion." I am as willing as any one to trust the officers of the Navy, and I quite admit that questions will often arise in which an officer must use his own discretion. But is it fair to them, is it a reasonable thing, for Her Majesty's Government, with legal assistance at hand, and with all the traditions and records of the Foreign Office and the Admiralty available, to say—"These are nasty questions; if we decide them one way, we run our heads against International Law; if we decide them the other, we run the risk of a popular cry against us; therefore we will not decide them at all—we will simply tell each officer to do the best he can, and in that way we reserve for ourselves the option of disavowing him if he does anything which has an unpleasant look about it?" I say that any Government that should reason in that way would incur ten-fold more censure than would fall upon it for any exercise of its own judgment, however mistaken. I say that that course would have been a cowardly, an unworthy, a mean evasion of our duties and responsibilities; that it was and is our duty to lay down some fixed rule by which our officers might be guided in their conduct, and that even the worst rule, if once known and settled, is better by far than the absence of any. *Misera servitus ubi jus aut vagum aut incognitum.* Every person, British or foreigner, slave or slaveowner, has a right to know, in given cases, what view British officers will be bound by their orders to take of his rights and his claims. I will dwell no more on that point; there is the less need, because, in fact, the practice of issuing Instructions on this and similar subjects is not new; it has been acted upon by former Governments and former Boards of Admiralty, and what is complained of in our conduct is, not that we created in that respect a new precedent, but that we followed precedents which already existed. But, my Lords, I am, in fact, understating the case, when I speak of the inconvenience of leaving officers without Instructions. The inconvenience would have been of a more serious kind; because our officers would have been left, if I rightly understand the position of affairs, to act under Instructions which were different, and materially contradictory, in different parts of the world. The naval officers on the East India Station would have been guided by the Instructions issued under Lord Clarendon's directions in 1870, to the effect that slaves coming on board ships of war within three miles of the shore—that is, within territorial limits —should be returned to their owners. But in the Persian Gulf a different set of Instructions prevailed. The very same question had been raised by the British Resident there in 1871, and the Government of Bombay had decided in an exactly opposite sense. I need not quote their words; they are to the effect that British commanders would incur serious legal responsibilities if they attempted to coerce a slave under similar circumstances to return to his master. That is not all. In 1873 a case of the kind arose. The Political Resident at Bushire wrote to the Government of India, pointing out the inconveniences that would arise if this Bombay decision were upheld; and thereupon the Government of India reverses the decision of the Bombay authorities, and gives as its opinion — no doubt a provisional opinion only and pending a reference home—that the privileges accorded to vessels of war in foreign territorial waters do not operate to set aside the law of the country, and that slaves ought, therefore, to be given up when demanded. Under the circumstances which we are considering, that is the state of things we find—one view taken by the Admiralty at home, another by the Bombay authorities; the Indian Government inclined to agree with the home authorities, but not quite able to decide. My Lords, will it be argued that it was not our business—that it was superfluous and uncalled for on our part —to try and get rid of this chaos of contradiction and confusion, and to tell those under our orders plainly what they were to do and what they were not. I understood the noble Viscount (Viscount Cardwell) to say that if the Instructions contained in the Circular had been local in their application, he should have objected to them less than he now does. I do not myself see why in a matter of this kind the same Instructions should not apply all the world over; but I will not discuss that point, for the reason that in the present case the application of the rules contained in the Circular will practically be of a local character. Slavery is dying in Cuba and Brazil: the slave trade on the West African Coast is suppressed: it is only on the Eastern Coast of Africa, and in connection with a few Mahomedan States that difficulties are likely to arise, and even there these Instructions will not, I hope, be necessary for any great length of time. The noble Viscount also said that as matters had gone on so well without any general Instructions, he did not see why any such Instructions should now be issued. I demur to that proposition. If the proposition contended for means that we have not got into any war or any diplomatic complication with respect to these matters, no doubt that cannot be disputed; but I think I can show that our action has not been uniform or consistent in past years, and that therefore it is not unreasonable that we should desire to establish some settled and uniform principle of action. I do not think it follows that because in past years matters of this kind have been settled, or have been allowed to settle themselves, with very little difficulty, and that little was heard of them at the time—it does not follow, I say, that such would be the case now. Many years ago, before the telegraph was established, these questions were locally disposed of by local authorities. Nothing was heard of them by the public at home, and they gave rise to no discussion or controversy. I need not point out how entirely different a state of things we have to deal with now.

But there is a wider question—namely, whether this much-criticized document of ours is in accord with what the noble and learned Lord (Lord Selborne) will not allow me to call International Law, but international obligation. The noble Viscount said that the question was one of policy, not of law; and if I rightly understood the noble and learned Lord, he went further and contended that it was a matter with which International Law had little or nothing to do.

Lord SELBORNE: I said that in dealing with the question of slaves who had got on board one of Her Majesty's ships, I did not admit the existence of International Law.

The Earl of DERBY: Well, the noble and learned Lord carries the doctrine much further than I have heard it carried before. There is, no doubt, a sense in which the words quoted by the noble and learned Lord from Vattel are true and intelligible; but I must say I think that that is a doctrine which will not bear straining or carrying too far. The authorities of various nations are extremely apt to differ when the question is what they are expected to do towards each other, and what other nations are bound to do towards them. We have had abundant proof within the last few years that the very widest differences may exist on such matters between even the most civilized nations on the earth. I think, therefore, that the doctrine contended for by the noble and learned Lord, although it is not one which I can absolutely deny or disclaim, is one which ought to be taken with great caution. I do not think it necessary, my Lords, to contend seriously against the doctrine which I have heard elsewhere, but which has been only touched upon in the course of this debate—namely, that international rules need not be applied with any strictness to slave-owning Powers because they are weak and imperfectly civilized. To accept that doctrine is to sanction the substitution of brute force for law—to affirm a principle which would strike at the root of all International Law—the principle that there is one rule for strong nations and another for weak ones. We have never admitted or acted upon any theory of that kind. We are bound to deal with Brazil, with Persia, with Zanzibar, with Spain in Cuban waters, precisely as we should have dealt with the United States before the late Civil War swept away slavery. Accept any other view and in your zeal against slavery you recognize and sanction that very doctrine of simple force, as opposed to justice, on which slavery rests. The question, then, as I understand, which lies at the bottom of the matter, is how far the laws of a foreign State are to be considered as valid on board of a national vessel of some other country within the waters of that State. It is, I believe, always maintained that a vessel under such circumstances is free from the jurisdiction of a foreign Power. But that is a matter of usage and of concession. Chief Justice Marshall, in the celebrated judgment on the case (referred to by my noble and learned Friend on the Woolsack) of the *Exchange*, which is regarded as the leading authority on this subject, says—

> "All exceptions to the full and complete power of a nation within its own territories must be traced up to the consent of the nation itself. They could flow from no other legitimate source."

And he goes on to say—

> "This consent might in some instances be tested by common usage, and by common opinion growing out of that usage."

And no doubt the universal usage of nations sanctions the exemption of a national vessel from foreign jurisdiction. But it is clear from the very nature of the case that there must be limits to the extent of this immunity, and those limits are laid down in the judgment to which I have referred. Mr. Justice Story, describing it, says—

> "In the case of the *Exchange* the grounds of the exemption of public ships were fully discussed and expounded. It was there shown that it was not founded upon any notion that a foreign Sovereign had an absolute right, in virtue of his sovereignty, to an exemption of his property from the local jurisdiction of another Sovereign, when it came within his territory, for that would be to give him sovereign power beyond the limits of his own empire. But it stands upon principles of public comity and convenience, and arises from the presumed consent or licence of nations, that foreign public ships coming into their ports and demeaning themselves according to law and in a friendly manner shall be exempt from the local jurisdiction; but, as such consent

> and licence is implied only from the general usage of nations, it may be withdrawn upon notice at any time without just offence; and if afterwards such public ships come into our ports, they are amenable to our laws in the same manner as other vessels. . . . It may, therefore, be justly laid down as a general proposition, that all persons and property within the territorial jurisdiction of a Sovereign are amenable to the jurisdiction of himself or his Courts, and that the exceptions to this rule are such only as by common usage and public policy have been allowed, in order to preserve the peace and harmony of nations and to regulate their intercourse in a manner best suited to their dignity and rights. It would indeed be strange if a licence implied by law from the general practice of nations for the purposes of peace should be construed as a licence to do wrong to the nation itself, and justify the breach of all those obligations which good faith and friendship by the same implication impose upon those who seek an asylum in our ports. To violate that which, rightly or wrongly, is the law of the land, is obviously to do wrong to the nation itself."

In face of that judgment, and of the many authorities on the same side, it seems impossible to maintain the doctrine of absolute ex-territoriality except as a legal fiction.

But, my Lords, there is a case more directly in point as regards the matter now under consideration and which has been often referred to of late. I mean the case of "Forbes *v.* Cochrane." In that case a suit was brought against the commander of a British man-of-war for taking away certain slaves who had escaped on board his vessel from Florida, then a Spanish colony. The vessel was at the time stationed off Cumberland Island, then in the occupation of Great Britain, and was therefore legally in British waters. The action failed; but Chief Justice Best, both during the argument and in his judgment, laid it down that if the vessel had been in the waters of Florida "all the laws of Florida would attach to both the ship and the slave." You cannot, my Lords, have a clearer or stronger statement from an English Judge than this—that in his view a slave was not legally entitled to freedom by coming on board a British man-of-war, if that vessel were at the time in territorial waters. Has that judicial opinion ever been judicially reversed? I believe it has not: and what makes it stronger is that in delivering it the Chief Justice asserted strenuously the right of the slave to freedom because the case had occurred elsewhere than in territorial waters. I will not say that is the precise distinction which we have drawn, because in the Circular now under discussion we have not gone so far as Chief Justice Best. Now, my Lords, what are the later precedents bearing on this question? There is the case of the negro who escaped to Her Majesty's ship *Romney* in 1837. He was given back to the local authorities, and Lord Palmerston approved the conduct of the officer who so gave him back. In 1851 a negro made his way on board the *Conflict*, off the Brazilian coast. The Admiral disapproved his having been received. No further action was taken, the man never being claimed. In 1856 the British Chargé d'Affaires at Rio issued a circular to warn masters of merchant vessels not to receive fugitive slaves. He was approved by Lord Clarendon; but with the reservation, of which I give you the full benefit, that it would not be the duty of the captain of a man-of-war to surrender a fugitive. I do not want to give less than its due weight to that precedent; but it ought to be remembered that at this time the Aberdeen Act was in force, and, rightly or wrongly, we were dealing in an exceptional manner with Brazil, condemning Brazilian vessels in our own Courts, and refusing to deliver over to Brazilian authorities negroes captured by British cruisers. It is worth notice in this connection that no previous case has been found of a man-of-war having refused to surrender a slave escaped from the shore. The point seems never to have been practically raised with Brazil. There are, however, cases of demands made by the Brazilian Government for the surrender of slaves found on board vessels captured by British cruisers. In the first of these cases—which occurred in 1841—the men had formed part of the crew of the vessel, and, when the claim was made, they were on board the British ship *Crescent*, a Queen's ship stationed in the harbour of Rio de Janeiro. The Queen's Advocate was consulted, and the Brazilian Government were informed that though Her Majesty's Government declined to send these men back to their masters, they were ready to pay compention for them. In 1843 a similar claim was made for the surrender of two other men, seized in the same way, and sent on board the same ship *Crescent*. Lord Aberdeen refused to give them up, on the advice of the Queen's Advocate, contending that the jurisdiction of Brazil did not extend to the vessel in which these men were placed. But what was the end? The Brazilian Government renewed the demand; the matter was again considered; it was held that the objection could not be maintained, and compensation was accordingly paid. That was done by Lord Aberdeen, the author of the Aberdeen Act, and the concession was made to that very State with which he dealt in so decided, not to say so high-handed, a manner. There is no other case of importance until we come to the recent one, which gave rise to Lord Clarendon's Instruction in 1870. It will be found in the letter written by direction of Lord Clarendon, and sent by the Admiralty to Commander Sir Leopold Heath, and related to the proceedings of the *Nymph* and *Dryad* in carrying off and then liberating certain domestic slaves who swam off to those vessels to escape from their masters. Lord Clarendon stated that the commanders of those ships were not justified in sailing away with the slaves in question, and he added—

> "The *status* of slavery being acknowledged and lawful in Madagascar, the commander of a British ship of war is not borne out in depriving the inhabitants of slaves who are rightfully their property, and the owners of such slaves are plainly entitled to compensation from us for the losses incurred at our hands by their abduction."

If that principle were applicable to Madagascar, it would equally apply to any other country similarly circumstanced. Nothing can be more decided than the Instruction of 1871 issued by the officer in command of the East India Station—

> "Art. 147. Her Majesty's Minister for Foreign Affairs has decided that slaves coming on board ships of war within the territorial jurisdiction of the country from which they escape—that is to say, within three miles of the shore—should be returned to the owners; but when it appears that slaves coming on board Her Majesty's ships have been recently imported in violation of treaties, the commanders of Her Majesty's ships should communicate the facts to the Consul, with a view to proper inquiry being made, rather than carry off the slaves on their own responsibility."

Now, I do not want to get into any miserable personal argument about who is responsible for this, that, or the other; but this Order came home to the Admiralty, it must have passed under the eyes of the First Lord, and we have, therefore, one Department at least of the late Government pledged to the doctrine which it lays down; while the Foreign Office was pledged, if not to that Order, at least to the Instruction of Lord Clarendon, milder in terms, but of which the general principle was the same. This is briefly the history of this question. Two things seem clear from it—that the claim to retain fugitive slaves escaping on board vessels in territorial waters is one which has on some occasions been asserted, in others repudiated, and never persistently maintained; the other—as has appeared, indeed, in recent discussions—that the true legal doctrine on the subject is involved in considerable uncertainty—that it has never been laid down in an authoritative and accurate manner. And from both these facts I draw the same conclusion—that it was our duty to lay down for the present the law, such as on the best advice we conceive it to be; and that with reference to the possibility of amending it, if necessary, by common consent, we could not do better than call in the advice of qualified and impartial persons as we have done in the Commission lately issued.

My Lords, there is one circumstance which I ought to mention, as it increases the necessity for dealing cautiously with the wishes and interests of foreign countries as connected with this matter. We must not forget that, in the majority of cases where questions connected with the escape of fugitive slaves are likely to arise, our ships of war are in the territorial waters of other States by special permission and for the performance of a special duty. They are there to check the slave trade. They can only do that in the waters of other States by special authorization from those States. The State that has the right to grant that permission has the right also to withhold it; the one implies the other. But if our ships were used as places of refuge for every domestic slave who wished to escape to them, it is certain that they could not remain in territorial waters with the consent of the local authorities. One of two things would happen. Either they must be kept there by force—which is a high-handed way of doing things, and not likely to answer in the long run—or they must be withdrawn—and then you are immensely weakening your own power of putting down slave trade on those coasts. On the question of policy it is hardly necessary to say that the British Government has always drawn the widest distinction between the slave trade and domestic slavery. The policy of that course is obvious. Domestic slavery is an institution which it belongs to the Government of each country to deal with as it thinks best. It is a question of internal legislation. If it is to disappear from the world, as I believe it will, that result will be brought about, not so much by diplomacy, not so much by philanthropic efforts, not so much even by newspaper articles; it will cease of itself through the general elevation of the people in every country which reaches a certain point of civilization—because the existence of slavery is found inconsistent with the social and economical requirements of the people. A nation that requires skilled labour cannot get it from a slave population. A nation that has reached a certain stage of refinement cannot endure the sight of harshness and coercion, and so the free labourer is substituted for the slave. We should do no good if we attempted to accomplish by force from without what can only be effectually done by a people for itself. That principle has been clearly understood and acted upon by former Governments in 1865 and 1869. As regards the slave trade, the case is different. That cannot be carried on without involving a condition of war and plunder over a widespread area which makes good government and legitimate trade impossible. It is carried on, moreover, on the high seas, where we have the power to check it effectually, without interfering with the internal administration of any country. We have always, therefore, assumed a right to deal with it, and I will add, that it has never been more effectually dealt with than at the present time. On the West Coast of Africa it has ceased to exist; on the East Coast it is greatly lessened. We are at this moment negotiating a Convention with Egypt under which we hope to be able to deal with it effectually in the Red Sea. We have not altered the policy of England. It does not date from yesterday; it will not end to-morrow. We believe we have laid down the law as it stands. We are willing to consider how it may be altered for the better; but we decline to do that in an arbitrary manner; or however good the motive might be, to create a precedent which might lessen respect for the settled principles of International Law.

LORD COLERIDGE: At this time of night, my Lords, if I followed my own inclination, I should not address your Lordships; and one reason which would induce me to be silent is the real disinclination I feel to criticize any legal document for which my noble and learned Friend on the Woolsack is substantially responsible; for, knowing the authority with which he speaks, I feel distrust when I find myself arriving at conclusions very different from his on a matter which appears to me abundantly clear. It is, however, my duty to state shortly and clearly what I conceive to be the law of England on this matter—law now at least 200 years old, and laid down in clear and most unfaltering terms by repeated decisions—and how far it has been permitted to International Law to interfere with, qualify, or in any manner supersede the Law of England. I entirely assent to what was said by the noble and learned Lord on the Woolsack that International Law, strictly and rightly considered, and used in the only way it can be, as a basis of argument, is not a law at all, but merely a collection of the usages of civilized nations whereby they have regulated their intercourse, friendly or unfriendly—in some instances, no doubt, settled and defined enough to be made subject-matter of statement, but in a great majority of instances—perhaps the majority—utterly unsettled and indefinite, and still remaining matter of fierce and angry discussion. It is only common sense to admit that in dealing with foreign nations you must take account of their laws as well as your own; but where principles differ, England has always determinedly maintained her own principles, and the comity of nations does not call upon England to do otherwise. England has uniformly refused to lend her aid to enforce foreign laws which were opposed to the principles of her own; and Lord Wynford has laid down that "*Comitas inter communitates* cannot prevail in any case where it violates the law of our own country, the law of nature, and the law of God." Happily, although villeinage prevailed in England, there was never such thing as slavery, and consequently precedents do not go back more than two centuries; but early in last century, when actions were brought to recover slaves or the value of them, or to enforce contracts for the sale and purchase of slaves which had been made in other countries, it was repeatedly laid down by Lord Holt that—

> "The common law takes no notice of negroes being different from other men. By the common law no man can have a property in another. . . . There is no such thing as a slave by the law of England. As soon as a negro comes into England he becomes free. One may be a villein in England, but not a slave."

These cases were followed by the famous case of the negro James Somerset, which was ably argued, and in which Lord Mansfield gave judgment with the greatest reluctance, after vainly recommending a compromise or application to Parliament to alter the law. In 1778 the Court of Session, in the case of a negro named Knight, followed the judgment of Lord Mansfield. Fifty years ago, in the case of "Forbes *v.* Cochrane," which has already been alluded to, the law as formerly laid down was confirmed in the strongest language. It may, perhaps, be said—though I do not think with truth—that Mr. Justice Best was a politician as well as a lawyer, and that that circumstance affected his judgment; therefore I desire to draw attention to what was said by Mr. Justice Holroyd, who was an original thinker and powerful reasoner. The case of "Forbes *v.* Cochrane" was decided in 1834, but the subject-matter arose in 1814. This country was then at war with the United States, but was at peace with Spain. In 1814 Florida belonged to Spain, and was a slave country. The British Government had instructed their commanders to issue into slave states circulars inviting slaves to escape from their masters and join the British flag. These circulars, though not intended, got into Florida, and the consequence was that a number of slaves escaped from their masters in Florida and took refuge on board a British ship which was anchored in Georgian waters. We were at war with the United States, and the British forces had taken possession of Cumberland Island, close to the shore of Georgia. Under these circumstances, the slaves escaped to a ship forming part of Sir George Cockburn's squadron, and he refused to give them up. These were the facts of the case. There was no technical point in it; the Judges delivered judgment on the broadest and clearest grounds; and there are one or two of the more striking passages to which I would desire to call your Lordships' attention. Mr. Justice Holroyd said—

> "According to the principles of English law, the plaintiff's right to these persons cannot be considered as warranted by the general law of nature, nor can he maintain an action under that general law. . . . . According to the principles of English law, the right to slaves even in a country where such rights are recognized by law must be considered as founded, not upon the law of nature, but upon the particular law of that country. The law of slavery is a law *in invitum*, and where a party gets out of the territory where it prevails and out of the power of his master, and gets under the protection of another Power, without any wrongful act done by the party giving that protection, the right of the master, which is founded on the municipal law of the particular place only, does not continue, and there is no right of action against a party who merely receives the slave in that country without doing any wrongful act. . In this case, indeed, the fugitives did not escape to any island belonging to England, but they went on board an English ship (which for this purpose may be considered a floating island), and in that ship they became subject to the English laws alone. They then stood in the same situation in this respect as if they had come to an island colonized by the English. It was not a wrongful act in the defendants to receive them; quite the contrary. The moment they got on board the English ship there was an end of any right which the plaintiff had by the Spanish laws acquired over them as slaves. They had got beyond the control of their master and beyond the territory where the law recognizing them as slaves prevailed. They were under the protection of another Power. . . . When they got out of the territory where they became slaves to the plaintiff, and out of his power and control, they were by the general law of nature made free, unless they were slaves by the particular law of the place where the defendant received them. They were not slaves by the law which prevailed on board the British ship of war."

Quite as powerful passages, more rhetorically expressed, might be cited from the judgment of Mr. Justice Best; but it is quite true that in his judgment occurred that passage which the noble Earl opposite has referred to, and on which much stress is laid. The passage is this—it was contained in a parenthesis—

> "The moment they put their foot on board a British man-of-war not lying within the waters of Florida, where undoubtedly the laws of that country would prevail, those persons who formerly were slaves were free."

That passage was quite rightly cited by the noble Earl. But I venture to think a great deal too much stress has been laid on that parenthesis, and if the case be looked into it will appear from the whole tenour of the argument that the question of what is called the ex-territoriality of the ship was not present to the mind of the learned Judge. With regard to that point, I should prefer to say that a public ship is exempt from the jurisdiction of the territory within which she claims to have the rights of hospitality exercised towards her; and that right was vindicated in the strongest way by Chief Justice Marshall in the case which has been referred to. If a ship is exempt from the jurisdiction of the territory into which she has come, I venture to think not only would the captain be justified in not surrendering a fugitive slave on board of her, but he would be utterly unjustified if he did surrender the slave; and the declaration by English Judges in the Courts on questions of this sort has this great value—that it is notice to all the world of what we have always asserted, and upon what terms we claim the right to the hospitality of friendly States who tolerate slavery if we enter their waters. If they object, it is for them to say they will not receive the ships of this country into their territorial waters until the claim they object to is either modified or withdrawn. When we come to this point we leave the domain of exactly scientific law and enter upon the general usage sanctioned by international comity. But international comity has its distinct and definite rules, and one of the rules of international comity, which as far as this country is concerned has, I apprehend, always been laid down in our Courts, and has always been maintained by our statesmen, is this—that we are not to be called upon, and if we are called upon we shall refuse, to lend our aid in any manner either to sanction or to enforce the detestable institution of slavery. A curious unanimity prevailed among the noble and learned Lords who sat in this House when the case of the *Creole* was dealt with in 1842. The *Creole* was a ship with a cargo of slaves. She was carrying those slaves from one of the Slave States to another of the Slave States in the United States of America. In the course of the voyage the slaves rose to liberate themselves. They put to death a man who resisted them; they possessed themselves of the ship, and they forced the captain and crew to navigate the ship into a British port. This country persistently refused to give up any of those slaves, even those who had been concerned in homicide. I do not lay much stress upon that for this reason —it is probably or certainly to be explained on the ground that we had no Extradition Treaty between this country and America, and, therefore, whatever crime had been committed, they could not, according to the existing law, have been given up. But I find on a careful perusal of that most instructive debate that all the Law Lords in this House—Lord Brougham, Lord Denman, as might be expected, Lord Campbell, and Lord Lyndhurst—expressly declined to admit that the slaves had done anything wrong in repossessing themselves by force of that which all the learned Lords said was their natural position—namely, their liberty, of which they had been deprived, as the noble and learned Lords said, by a violation of the law of God.—[3 *Hansard*, lx. 313.] I wonder what any of those noble, learned, and illustrious persons would have said if they had heard a great and distinguished lawyer coupling escape from slavery and murder together, and saying that a person who escaped from slavery and a person who committed murder were equally breakers of law. I wonder what those great persons would have said if they had heard a still more distinguished man treating the laws of slavery——

THE LORD CHANCELLOR: Are you referring to me?

LORD COLERIDGE: Certainly not. I wonder what those noble and learned Lords would have said if they had heard a still more eminent man treating the laws of slavery and the laws of quarantine, forsooth! as equally binding upon foreign nations. If there is such an eminent lawyer, and if there is such a still more eminent person, all I can say is they may be thankful that Lord Brougham and his contemporaries slumber in the dust. One of the great objections to this Circular is the very existence of the Circular itself. What necessity was there for interfering with the existing state of things? What was the necessity for somewhat ostentatiously, as I cannot help thinking this Circular does, recognizing slavery? It recognizes the institution of slavery, because it talks of fugitive slaves as persons who have broken the law. Surely the subject of not allowing a fugitive slave to remain on board when danger to life was over might have been left to the discretion of our officers and the wisdom of our statesmen. I form no opinion whether, in the case we have heard so much about, Lord Clarendon and Lord Palmerston did or did not come to a right determination; but I should have thought that in 99 cases out of 100—and probably the proportion might be much larger—they did right. It would be ridiculous to suppose that my noble and learned Friend on the Woolsack or the noble Earl opposite (the Earl of Derby) is in favour of slavery; but by this Circular they have hampered their own discretion and the discretion of the public officers of this country. It would be utter waste of time for me to attempt to go through the Slave Trade Acts of 1873. The answer to the point that has been raised respecting them is to be found in their description. They are Slave Trade Acts, and have nothing to do with domestic slaves who have escaped from slavery and have got on board English ships of war in the territorial waters of friendly slave-holding States; and I think that any person who has read them, and who really understands them, and who introduced them into this discussion, must have done so with the object of distracting our attention from the real point at issue. Most certainly I never understood it to be part of the law of England, or part of the International Law by which we are bound, that this country is compelled to support actively the institution of slavery. I hope that in dealing with this subject your Lordships will raise it above all Party considerations—and I am sure that it has not been discussed to-night as a Party question. Your Lordships, on both sides of the House, are capable of feeling how deeply the honour of the country is concerned in this matter. Could I for a moment free myself from the restraints of judicial office—could I revive for a moment the dying embers of Party feeling—I protest that nothing as a Party man could more delight me than to see this question voted upon by your Lordships in a Party spirit—so that the spectacle might be presented to the country of all the noble Lords on that side of the House voting in favour of maintaining this Circular, and all the noble Lords on this side protesting against it. But, my Lords, I wish for nothing of the kind. I wish your Lordships to view this question from your high position as one on which liberty and freedom as opposed to tyranny and oppression depend, and as one in which the honour of the British Flag and of the British people who have made so many noble sacrifices on behalf of liberty is deeply concerned.

THE EARL OF LAUDERDALE denied that International Law had nothing to do with this question—on the contrary, he thought that International Law had everything to do with it. If we could get all other nations to agree to abolish slavery altogether, well and good; but unless we could do that, it would be absurd to attempt to put it down by force. If the captain of a man-of-war were to avow his intention to break the municipal law of the country, he would not be allowed to take his ship into its ports. We expressed a great horror of slavery in this country, but he should like to know from what part of the world the goods known as "slave goods," which were exclusively used for the purpose of purchasing slaves, came from? Why, they came from Manchester, Birmingham, and Sheffield—and it was not difficult to guess into whose pockets the price of the slaves went. He was of opinion that the Government had acted properly in transferring the *onus* of deciding this question of the treatment of fugitive slaves from the shoulders of naval officers to their own.

LORD HATHERLEY desired to add his protest to the continuance in force of the Circular which had formed the subject of this debate. He had heard no answer given to that question, first put by the noble Viscount who presented the Petition—Why, if they were to have a Commission to consider what appeared to the Government such a difficult question, but to himself and his friends such a simple one, should it be necessary, and so hastily, to publish this Circular? He contended that, as each question arose, whether in regard to slaves in the Gulf of Persia or on the coast of Africa, it could have been dealt with without issuing general Instructions to all our officers in all parts of the world. It was well known that, by the comity of nations, as regarded vessels of war, any officer whose acts were complained of must be dealt with by the nation to which the ship belonged; and it was also well known to foreign nations that the mind, and heart, and conscience of the British nation had long ago settled that slavery should not exist. He could see no reason for keeping the Circular in force pending the inquiry of a Commission which had been appointed for the purpose of codifying the law relating to negro slavery; nor could he perceive how the existence of slavery was likely to be shortened by the operation of a Circular which forbad officers of British ships taking slaves on board unless they were in peril of their lives, and then instructed them to put such slaves ashore, but did not inform them as to where the debarkation was to be accomplished. He submitted, then, that this Circular should be at once withdrawn by the Government—a Government so strong that it could afford to withdraw it—and by so doing that they would be entitled to the thanks and gratitude of the whole nation.

Petition *ordered* to lie on the Table.

House adjourned at half past Ten o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 7*th March*, 1876.

MINUTES.] — SELECT COMMITTEE — Railway Passenger Duty, *appointed.*

PUBLIC BILLS—*Ordered*—Sheriff Courts (Scotland) *.

Second Reading—Partition Act (1868) Amendment * [73].

Committee—Municipal Officers Superannuation * [2].

Committee—Report—Epping Forest (*re-comm.*) * [66].

ARMY—SEA-PORTS DEFENCES—THE FIRTH OF FORTH.—QUESTION.

MR. COWAN asked the Secretary of State for War, If it is the intention of Her Majesty's Government to carry out the proposal of the late Mr. Secretary Herbert, to erect a battery on Inchkeith for the protection of the Firth of Forth, or if Government has any other measures under consideration to defend the Firth and its ports, which have now no available means of defence?

MR. GATHORNE HARDY, in reply, said, he would refer the hon. Gentleman to the Estimates for the current year, which contained no provision for an armament of Inchkeith. It was true that in 1859 the Government contemplated arming Inchkeith; but after obtaining tenders the matter appeared to have slept until the year 1865 or 1866, and was only now again renewed. Other projects had been put forward for the protection of the Firth of Forth by the arming of Inchkeith; but other ports in the Kingdom were asking for armament, as the hon. Gentleman must be aware. It was so large a question that he (Mr. Hardy) was unable to give any further information on the subject.

MR. COWAN gave Notice that he would on an early day call attention to the subject.

MERCHANT SHIPPING ACTS—BOARD OF TRADE SURVEYS—THE "MOUNT ROYAL."—QUESTION.

DR. CAMERON asked the President of the Board of Trade, Whether his attention has been called to the evidence reported to have been given by the Board of Trade Surveyor, Greenock, in the course of the Board of Trade inquiry into the wreck of the "Mount Royal," to the effect that when making his inspection of the interior of that vessel's hull previous to her sailing he had not a lantern but merely a few wax matches; that he did not touch any of the bolts, and could not do so without an order from the Board of Trade; that he did not look at any of the sails, having no power to order them to be lowered; that he did not order the carpenter to caulk the waterways, having no power to give orders of that kind; and that he did not point out anything to the captain, nor ask him to do anything, having no power to ask him to do anything; and, whether the survey was thus conducted: and, if so, whether the Board of Trade intend continuing the surveyor in his appointment.

SIR CHARLES ADDERLEY: One of the Board of Trade surveyors, Mr. Mills, and a very good one, sent information to the Board of Trade that the

Mount Royal was going to sea apparently with a defective yard. This did not seem a sufficient ground for sending a provisional order for detaining her for survey, but the defective yard was replaced; but Mr. Mills afterwards going on board to inspect lights and crew space, which was his duty under the Act of 1862, observed during his inspection further defects. He had not been authorized to make a survey, therefore all he says of defective power was necessarily the case. He had to strike a light for the same reason, not having a lantern with him, as he would on a survey. I see nothing to animadvert upon. It would not do for a surveyor to take upon himself to survey without authority, and no ground had been shown for giving such authority in this case, though further defects were seen too late. Under any system a defective ship may sometimes escape detection.

SOUTH KENSINGTON MUSEUM—ART LIBRARY.—QUESTION.

Mr. MUNDELLA asked the First Commissioner of Works, Whether it is true that the Library accommodation at South Kensington is now totally insufficient for the large number of art readers who resort to it; and whether Government propose, during the present year, to build a new Library, which will also provide for the Dyce and Forster Libraries recently left to the Nation?

Lord HENRY LENNOX, in reply, said, he had reason to believe the library accommodation was insufficient; and he regretted to say that he had not been able to insert in the Estimates any sum for providing for the deficiency.

ARMY—ARTILLERY OFFICERS (INDIA).

QUESTION.

Mr. W. HOLMS, asked the Under Secretary of State for India, If he will explain why the additional Papers connected with the Memorials of Artillery Officers, ordered on the 16th of July 1875, have not yet been presented to the House, and if he can state when they will be presented?

Lord GEORGE HAMILTON, in reply, said, the Papers referred to by the hon. Gentleman were on the Table of the House, and would shortly be in the hands of Members. The delay was occasioned by the fact that the Papers moved for were scattered in different parts of India, and some delay was necessarily occasioned in collecting the Papers.

PREVENTION OF FLOODS IN THE THAMES — LEGISLATION.—QUESTION.

Mr. LOCKE asked the honourable and gallant Member for Truro, When it is proposed to bring in a Bill for the Prevention of Floods in the River Thames, for which Notices were published by the Metropolitan Board of Works in November last?

Sir JAMES HOGG: I regret that I am unable to state when the Bill on this subject will be brought in. A draft Bill has been prepared, but the subject involves many important questions, and the Metropolitan Board of Works is desirous that the Bill should be fully considered before it is submitted to the House.

INLAND REVENUE— GROCERS' WINE AND SPIRIT LICENCES.—QUESTION.

Mr. BOLCKOW asked the Secretary of State for the Home Department, Whether his attention has been drawn to the great increase of wine and spirit licences to grocers and other shopkeepers; and, whether he intends to propose some alteration in the Licensing Laws, giving to magistrates power to refuse applications as in the case of public houses and beer houses?

Mr. ASSHETON CROSS, in reply, said, the attention of the Government had been called to the subject by the proceedings at the various quarter sessions in the country, and all he could say at present was that the matter deserved serious consideration, and was at the present moment receiving it.

THE ROYAL TITLES BILL.

QUESTION.

Mr. SAMUELSON asked the First Lord of the Treasury, Whether he is now prepared to state what is the addition to the Royal Titles which Her Majesty's Ministers will advise in the event of the passing of the Royal Titles Bill?

Mr. DISRAELI: In answer to the Question of the hon. Gentleman, I beg to state that I am not now prepared to state what is the addition to the Royal Titles which Her Majesty's Ministers will advise in the event of the passing of the Royal Titles Bill.

Mr. SAMUELSON: After the Answer which I have just received from the right hon. Gentleman, I beg to give Notice that on the Motion for the second reading of the Royal Titles Bill I will move—

> "That this House should not be asked to read this Bill a second time until the addition proposed to be made to the Royal Titles shall have been stated by Her Majesty's Ministers, and until full opportunity shall have been given for the consideration of such addition."

CUSTOMS—THE WINE DUTIES.

MOTION FOR A SELECT COMMITTEE.

Mr. W. CARTWRIGHT, in moving that a Select Committee be appointed "to inquire into the present system of levying the Customs Duties on Wines" said, the subject was an important one in connection with the Revenue of the country, because it was alleged by some high authorities that to alter the present system, by which a duty of 1*s.* per gallon was taken on wines under 26 degrees of alcoholic strength, and of 2*s.* 6*d.* on wines above that degree of strength, must necessarily imperil the integrity of the Revenue derived from the spirit duties. It was the opinion of those, however, who were best acquainted with the subject that the present system of levying duties upon the wines imported into this country ought to be placed upon a clear, a simple, and a fair basis. He had the conviction that a change was possible without interfering with the integrity of the Revenue, and he wished to see such a system adopted as would realize the mode suggested by the right hon. Gentleman the Member for Greenwich when he was Chancellor of the Exchequer—a system which would combine the greatest simplicity of operation with the greatest security to the Exchequer. Various Papers presented to Parliament in 1869 showed how the controversy on this question had been carried on among the three Departments of the Customs, Inland Revenue, and Board of Trade on the occasion of negotiations with Portugal. In 1866 the Government asked the opinion of the Board of Trade with regard to the lowering of the 2*s.* 6*d.* duty and other alterations which were then mooted; and the Board of Trade, after a close examination of the question, arrived at the conclusion that a reduction from 2*s.* 6*d.* to 1*s.* 6*d.* per gallon of duties on wines between 26 and 40 degrees strength would be feasible. The proposals were next submitted to the Departments of the Customs and Inland Revenue. The Customs never grappled with the arguments which had been advanced on the subject, contenting themselves with saying that to admit wines at lower rates would unsettle a system arranged after very mature consideration. The Inland Revenue maintained that the effect of reducing the duties on strong wines, as proposed by the Board of Trade, would be to hold out a great temptation to the introduction of factitious wines, which it said were, in fact, merely spirit-mixtures, such as so-called Hamburg sherries. By that admission, in his opinion, the Inland Revenue conceded everything he contended for. If these Hamburg sherries were merely spirit-mixtures, he saw no reason why they should be introduced as wines; and if it was possible for the machinery of the Customs to stop sweetened brandies, as had happened of late repeatedly, it would, in his opinion, be equally easy for the same machinery, perhaps with some slight alteration in it, to put a stop to the introduction as wines of spirit-mixtures generally, and consequently of Hamburg sherries. The Board of Inland Revenue referred to the difficulty of preventing frauds, which they feared might arise if certain modifications were made. But he wanted to know whether fraud was prevented under the present system? He had been told that among traders of lax principles the practice was not unknown of mixing wines made at 1*s.* with wines of 42 degrees strength at 2*s.* 6*d.* a gallon, so that liquor which had paid really but 1*s.* 9*d.* duty per gallon was sold at rates as if it had paid on entry 2*s.* 6*d.* duty. The Government at that time, notwithstanding the views of the Customs and Inland Revenue decided that the standard at which the duty had been previously fixed was not one essential and vital to maintain for the security of the Revenue. In presence of adverse opinions by those Boards, the Government of the day had come to the conclusion to propose a certain reduction in the duties, and thereby admitted that the existing rates were not essential for the integrity of our fiscal systems. The reduction offered was not considered to have been sufficient, whereupon further inquiry was then instituted, particularly by the Board of Trade, whether a greater reduction might not be made. The matter was subsequently dropped, and he thought it one which a Special Committee might well investigate. The question turned practically on the point whether compound or factitious wines, spirit-mixtures, or Hamburg sherries could be introduced into this country at a price which would render illicit distillation formidable. The Board of Trade distinctly maintained the contrary with much detail of calculation. In reply, the Inland Revenue had pointed to results from experiments made on genuine Portuguese wines at £23 a butt; but such results were necessarily fallacious, and could not invalidate those arrived at by experiments on the only material that could be used for illicit purposes—factitious wines and spirit-mixtures like Hamburg sherries. The Board of Trade came to the conclusion that if the duties were reduced to 1*s*. 6*d*. all round on wine up to 40 degrees strength the maximum loss to the Revenue would be only £120,000 in excess of the loss which the Government was prepared for in its previous offer of reduction, and this calculation was never seriously challenged by the Inland Revenue. That brought the history of the question down to October, 1866. Considerable controversy existed with reference to many ancillary points. It was known that semi-musts and wines in an incomplete state of fermentation had not developed their full strength, yet the official inquiries instituted by Mr. Bernard on Portuguese wines had been made mainly on semi-musts, which could not be taken as fair samples of the strength of fully-developed wines. From that fact alone the House could draw its conclusions with regard to the practical value of the tests in use on the ground of such experiments. Lately, 200 samples of perfectly natural wines from Melbourne on being tested by the Customs officials yielded the following results:—Out of the 200, 121 were found to be from 27 to 32 degrees of alcoholic strength, and four more from 32 to 34 degrees. There could not be a more opportune moment than the present for the appointment of a Committee, which would be able to inquire into the condition on which the wine duties could be properly levied, and to conduct this inquiry with the advantage of all the knowledge accumulated on the subject during the last 15 years. He begged to move for the appointment of the Committee.

Mr. SAMPSON LLOYD, in seconding the Motion, observed, that it was now 24 years since the last inquiry was instituted on the subject, and since then a great deal of valuable experience had been gained, which it was desirable should be placed at the disposal of those who were interested in the subject. Until within a few days ago the question might have been argued on the ground of the preferential duties; but he understood that the Portuguese Government had at that short distance of time given up the excess of preferential duty. It was all very well to introduce alcoholic tests; but as long as they charged a duty of 2*s*. 6*d*. a gallon on countries producing strong wines, and 1*s*. a gallon on those which produced light wines, the former would look upon the lighter duties as being in nature and in fact preferential. The great question was whether the equalization of the wine duties would seriously endanger our Revenue, especially at a time when such large demands were made on it; but there was reason to believe that such would not be the case. Before the reduction of the duty we consumed, in round numbers, 7,000,000 gallons, the revenue from which was £1,900,000; but the consumption now was 17,300,000 gallons, and the revenue from it £1,712,000, or within £188,000 of the revenue before the reduction. It was objected that the increased consumption of the stronger wines would diminish the consumption of spirits, and thus the Revenue would be injured; but experience had shown that wine and spirits were drunk by different classes of persons, and even if there was a large reduction in the quantity of spirits drunk it would not be without its advantages. Then it was said that the effect would be to benefit the Cape Colonies; but it should be gratifying to us that the trade of the Cape should be benefited as well as that of a foreign country. The equalization of the duties would also enable us to abolish bonding, and in that way a great saving might be effected in the pay of our Custom House officers. For these and other reasons he hoped a Committee would be granted, and that the Government would show a disposition to meet in a fair spirit those countries which thought themselves unfairly treated.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the present system of levying the Customs Duties on Wine."—(*Mr. William Cartwright.*)

MR. JOHN BRIGHT said, he did not know what course the Chancellor of the Exchequer was about to take; but he was very much disposed to join his hon. Friend the Member for Oxfordshire and the hon. Gentleman opposite in urging upon the right hon. Gentleman the wisdom of consenting to the inquiry now sought. The proposition which it was hoped the Committee would agree to, and that the evidence would lead them to was, on the whole, rather a simple one—namely, that the point at which a higher duty than 1*s*. was levied on foreign wines should not be fixed, as at present, at 26 degrees of alcoholic strength, but should be fixed at some higher degree, or should range from 36 to 40 degrees. Both sides of the House would admit, and the Chancellor of the Exchequer also would admit, that if such a change could be made, it would have the effect of extending our trade with other countries—in some degree with France, but notably with Spain, and probably to some extent with Portugal. The objection to such a proposal was one rather of fear than of fact. It was said that if they had a higher degree—that was, if they admitted stronger wines at the low duty of 1*s*., those wines would be made use of in this country for the purpose of making spirit, and that people could make a profit by doing that, and that the result would be that a fraud would be committed on the Revenue, and the Revenue would suffer. Now, if that were true, the objection was formidable, and one which the House could not, without great mischief, overlook. But it had been disputed; and he thought the evidence of opinion, on the whole, so far as he had been able to gather it, was stronger against that view than the contrary. His hon. Friend had quoted the opinions of the Revenue Department, the Customs Department, and the Board of Trade. Those opinions were conflicting, and giving each of them equal weight they were still left in the dark. He had been for some short time at the Board of Trade, and he recollected that this question was at that time very fully considered, and especially by one officer whose opinion was very valuable—he referred to Sir Louis Malet. The opinion of the Board of Trade was distinctly that it was perfectly safe to make the change proposed, and that it would be greatly advantageous to the country if that change were made. He took the trouble at that time to make some inquiry on his own account, and he had an interview with eminent authorities connected with the other Departments, and his conclusion was this:—that their opinion was not based upon facts clearly ascertained, but was based rather upon tradition and a kind of apprehension—a fear of allowing anything to be done that would in any way endanger the income which the Chancellor of the Exchequer received from those duties. He was not at all satisfied, from the conversation he had with those authorities, that the view they took was sound, or sustained by facts in such a manner as to justify the Government in adhering to the higher rate of duty. If those authorities were at variance, who should decide? The Chancellor of the Exchequer asked some one connected with the Inland Revenue, and he received one opinion; he made a similar inquiry of the Board of Customs, and he received a different opinion; he therefore made further inquiry at the Board of Trade, and he could only say if the officers of the Board of Trade were now what they were when he was there, they were persons on whom the greatest reliance might be placed. But if the Chancellor of the Exchequer was still in the dark, he would be left in the dark and be obliged to form his own opinion, or come to some other tribunal. But what tribunal was there so good as a Committee of that House for ascertaining the facts and opinions of all kinds of persons with respect to such questions? He did not say that men might not sit upon a Commission who had strong opinions in respect to the matter that came before them; but still he said a Committee of that House was an admirable tribunal for obtaining facts and evidence upon which Government and Parliament might form an opinion on a question of this nature. He asked the House, was not the question one of some importance? They had an enormous trade with other countries, almost all over the world. The great barriers to our trade over half the world were barriers of tariffs. There was scarcely any country in which trade was more restrictive, in which monopolies were more universal than in Spain. He recollected about six or seven years ago, just before he was withdrawn from the House for three or four years, he had a long conversation with the then Spanish Minister, who told him he felt certain that, if the English Government would make a change in the wine duties, and treat Spain as they treated France practically, so that their wines might be admitted at a low duty, he had no doubt whatever it would be possible to negotiate a Commercial Treaty with Spain, as they had already done with France, that would be highly advantageous to both countries. That, he thought, was a matter of great consequence. No doubt, of late years there had been a great demand for labour, wages had been high, and money had been plentiful; but that state of things did not last, and we were constantly interfered with by competition with other countries, and by the tariffs that existed in them. If they could, by Commercial Treaties or by making any concessions, introduce themselves to new customers, and bring their people into some closer communication with some other people, that was a great advantage—so great that it was not wise that an opinion founded on traditions, and on the fears of any of the Revenue Departments of the country, should be interposed against an inquiry of this nature, and against a great advantage which the country would gain, provided the view of his hon. Friend the Member for Oxfordshire was correct. He believed it was correct, and therefore it would be greatly to the advantage of our export trade, and our trade generally, if the change to which his hon. Friend pointed could be made; and with that opinion he would urge the Chancellor of the Exchequer to consent to this Committee. There was no doubt great force in what had been said by the hon. Gentleman opposite (Mr. S. Lloyd), that there had been no Commission of Inquiry into these duties for 20 or 25 years. Circumstances had greatly changed in that time. They appointed many Committees every Session, some of them for objects in which not much could be done. But here was a distinct proposition of great importance. If the views entertained by himself and by the hon. Gentleman opposite were correct, the country would suffer if the inquiry was not made, and the change which they hoped to be brought about might not be made. The Chancellor of the Exchequer knew that in making these observations he had not the slightest wish to take any course of opposition to the Government, or to act in connection with any Party difference. The right hon. Gentleman was a free trader as much as he (Mr. Bright) was, and made a great speech the other day in a great hall dedicated to free trade. He was glad that, having withdrawn himself from that platform oratory, the right hon. Gentleman succeeded to it, and talked the doctrine he (Mr. Bright) had talked there 30 years ago. He hoped the right hon. Gentleman would deal liberally in this matter, and allow this Committee to be appointed; and he believed that great good might and would result from it.

Mr. M. T. BASS observed, that it had been asserted that we had differential duties on wine. Now, he disputed that point. The duties on wine were uniform, and the additional duty was on the spirits that were added to the wine; and if strong wines were admitted into this country at 1*s*. per gallon it would be impossible to maintain a duty of 10*s*. per gallon on British spirits. He did not consider it necessary to refer the subject to a Committee, and he had it on the highest authority that 99 men out of 100 engaged in the wine trade were opposed to the proposed change in the wine duties. It had been said there was no prospect of illicit distillation. A great deal was said about Hamburg sherry. That was a very queer compound. It was distilled originally from potatoes, mangel wurzel, and other vegetables of that character. He should like to know what his hon. Friend the Member for Oxfordshire had to complain of? He (Mr. Bass) did not think that Spain or Portugal had any reason to complain of the consumption of their wines in this country. In 1859, before the wine duties were altered, the consumption of Spanish wines in Great Britain was 2,780,000 gallons, while last year it reached 6,770,000 gallons. The consumption of Portuguese wines had been in the former year 2,200,000 gallons, and in the last year 3,887,000 gallons. He was not surprised that Portuguese wine did not increase at the same rate, for port was almost extinct. ["No, no!"] He could only say he was in the habit of entertaining his friends occasionally, and he only knew one friend who drank port wine. The wine, no doubt, bore a high character; but it was virtually extinct. During the last year the importation of Spanish and Portuguese wine was 10,657,000 gallons, while from all the rest of the world, including France, from which the importation had very greatly increased since the reduction of the duty, we had only imported 6,685,000 gallons. The brands that were most distinguished when he was in the wine trade, and which still remained so, had increased nearly 50 per cent in price; and if we reduced the duties on those highly-brandied wines again, the Spanish and Portuguese would put the money into their pockets, and the English consumer would not be benefited. At the Vienna International Exhibition there were 284 samples of natural Spanish wine and 381 samples of Portuguese wine; one of the former, fortified, contained 57 per cent of spirit. He was persuaded that a man might drink two bottles of one of those natural wines with far less injury to his constitution than if he drank a pint of those brandied wines. Now, if wines with 57 per cent of spirit were allowed to be imported into this country at a duty of only 1*s.* a gallon, how would it be possible to maintain the 10*s.* duty on British spirits? As an illustration of the manner in which Spain and Portugal treated this country with regard to import duty, he might mention that on the article of bitter ale a duty of no less than 125 per cent was levied by Portugal. Our wine duties now yielded £1,700,000 per annum; whereas the duties on foreign and domestic spirits produced more than £20,000,000. They ought not, therefore, to allow that large revenue to be interfered with by the introduction of bad brandy in the form of wine at 1*s.* per gallon while the spirit duties were still kept at 10*s.* per gallon. The appointment of a Committee would, he thought, do a great deal of mischief and excite expectations which never could be realized.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that they had had a very interesting discussion, and also that they were indebted to the hon. Member (Mr. Cartwright) for the manner in which he had brought that question forward. He hoped the hon. Member would not consider him wanting in respect if he did not follow him into all the points which he had raised. He approached the subject with no feeling of prejudice against the cause advocated by the hon. Member. He appreciated highly the importance of cultivating good relations with Spain and Portugal, and developing, as far as possible, our trade with those countries. In 1866, as President of the Board of Trade, he had joined in fighting the battle to which the hon. Gentleman had referred, against what he then thought, and was still inclined to think, were the exaggerated fears of the Revenue Departments. He might also inform his hon. Friend who spoke last that he was very fond of a glass of the excellent wine he had described. But the question immediately before them was, not so much what was the proper scale of wine duties, as whether it was expedient to appoint a Select Committee to inquire into that subject, and he would confine himself to that point. A few days ago the hon. Member for Oxfordshire and some gentlemen connected with the London wine trade waited on him at Downing Street on that subject, and a leading member of the deputation said he hoped if the Committee were granted the Government would lose no time in acting on its recommendations; because nothing could be so mischievous to the trade as keeping it for a long time in suspense, expecting that alterations would be made, and then not to make those alterations. That was a statement so perfectly obvious that it was echoed by another gentleman, who, though inclined to favour the proposal of a Committee, yet intimated that if its Report was not to be acted upon he would prefer that it should not be appointed, because he did not wish the trade to be disturbed by a discussion which would render it impossible for them to carry on their business satisfactorily. Well, he could not but feel that there was very great justice in that; because the importers imported their wine a considerable time before it was brought into consumption, and had to consider what would be the price for which they would be able to sell it. It was very inconvenient for them to have large stocks in hand, which might not be entirely run out before any great alteration was made in the duty. He had been struck with a curious suggestion of the hon. Member for Plymouth (Mr. S. Lloyd) in regard to the drawback. That hon. Gentleman said that, taking into account what the quantity of wine imported in the year was and what the consumption was, they had nothing to do but to put off the reduction of the duty if they decided on it, and run out all the stock of wine in hand, and then there would be no trouble about the drawback. That might be a very pleasant doctrine for the hon. Member to enunciate; but it was not at all pleasant for the Chancellor of the Exchequer, because it would lead to their having no wine imported, and no wine revenue for a whole year. If the merchants were to hold back from importing because they expected some material change in the duty, the inconvenience to the trade would be great, and the loss to the Revenue very considerable. Well, what was the position of the question? They were told that they ought to have an inquiry into it now, because they had not had a Parliamentary Committee sitting upon it for some 25 years. The Committee, however, which sat in 1852 was a most influential one, and elicited a considerable amount of most valuable evidence. Since that time that evidence had received equally valuable additions from departmental inquiries, Commissions, and the various means which were always at the command of the Government of the day. But what was it that the advocates for this Committee were aiming at? He understood the hon. Member for Plymouth to say that what they were going for was an uniform duty on all kinds of wine. But the right hon. Member for Birmingham (Mr. John Bright) did not ask for a uniform duty at all; he said that we ought to raise the duty on the higher scale with which we had to deal, and that instead of 26 we ought to take 32, or something of that kind. Those were two very different proposals. If a Committee was appointed there would be all sorts of opinions among the Members; evidence would be given this way or that way as suited the different views of its Members; and there would be such a diversity of opinions that the conclusions arrived at would be of little value. After all, the responsibility must rest with the Government of the day, which had to consider not only these points, but fiscal questions generally, the condition of the Revenue, and the proper time for making proposals for alterations of taxation; and he could not but think that a Committee would be rather a hindrance than an assistance. To the depuation he had the honour of receiving the other day he pointed out that these were difficult questions, and asked how they could be solved before a Committee. The reply he received was that a Committee, largely acquainted with the subject, would be sure to arrive at valuable conclusions. The right hon. Gentleman the Member for Birmingham seemed also to think a Committee was a good instrument for arriving at the truth on questions like this; but he (the Chancellor of the Exchequer) had great doubts whether a Committee would be composed exclusively of Gentlemen acquainted with the subject. The House knew that in striking Committees a great many considerations came into play. It was necessary, for example, to strike a balance between one side of the House and the other, and to introduce Gentlemen connected with different parts of the United Kingdom. But the Committee would hardly be dealing with wine duties alone; for dealing with them affected, more or less, directly or indirectly, all kinds of alcoholic liquors, and this fact alone would lead to great conflict of opinion amongst the Members of which the Committee was composed. He was bound to say that, although he recognized the importance of the question, and agreed in the propriety of the hon. Member for Oxfordshire bringing it forward, and found no fault with the spirit in which it had been discussed, he felt that the disadvantages, which were inevitable, must far outweigh any good that might be derived from the appointment of a Committee. As the House would see, it would be very unfortunate if the Committee made recommendations which the Government, for fiscal reasons, could not carry out, or which might lead to embarrassment in our dealings with foreign countries. A good deal had been said of our Commercial Treaties with Spain and Portugal; but it should be recollected that any changes in them might affect our trading relations with France. With regard to foreign tariffs, he desired to see the system of free trade maintained and carried further; but he felt that we were approaching a critical point—the termination of our present Commercial Treaties. It was therefore important and necessary that every step we took should be guarded with great care. He hoped the success which had attended the liberal commercial policy emanating from this country, and which the right hon. Member for Birmingham had so large a share in initiating, would have its effect on foreign countries, which now felt its advantages without fully appreciating the principles from which those advantages were derived. For himself, he should like to see a large and comprehensive understanding come to by the Powers of Europe as to some common bases for tariffs. Some such international bases would be of inestimable advantage; but it was inconvenient just now to discuss large questions like these. As to the immediate question under discussion, he did not think the cause they all had at heart would be promoted by the appointment of the Committee, and, therefore, he hoped the Motion would not be agreed to.

SIR JOSEPH M'KENNA said, he was as much in favour of the principle of free trade as the right hon. Member for Birmingham or the Chancellor of the Exchequer, but he was opposed to the Motion for the reasons he would shortly offer. In the first place, he would point out that while the spirit duties amounted to about £20,400,000, the wine duties did not in the aggregate reach £2,000,000. Yet enormous concessions had been made to the trade of those countries which were wine producers, and revenue was sacrificed in their favour, concurrently with an enormous increase in the duties levied upon home manufactured spirits. He would not say the only, but he might fairly say almost the only, home manufacture which remained to Ireland was that of spirits. The duty within the last 20 years on the spirits manufactured in Ireland and consumed there had been raised from £964,000 to about £3,460,000, although the consumption had not increased one gallon. England had practically the power of regulating the principles of free trade to the prejudice of Ireland and Scotland. It was impossible that those countries could take any measures to protect themselves, and therefore their duties had been raised to the highest point capable of endurance. He objected to granting any relief whatever to wine producers or wine consumers, whilst such an enormous amount of spirit duties was placed upon Ireland. As he believed the attention of the Committee was solely to be directed towards effecting a reduction of the duty on wine, and not on spirits, he should oppose the Motion.

Question put, and *negatived.*

TRALEE SAVINGS BANK.

MOTION FOR A SELECT COMMITTEE.

THE O'DONOGHUE, in moving that a Select Committee be appointed "to inquire into the case of the depositors in the late Tralee Savings Bank," said, it might appear at once that the subject was purely of a local character; but inseparable from it there was an Imperial principle upon which he relied. Although the failure of the bank occurred so long back as the month of April, 1847, the recollection of it was as fresh as ever in Tralee, and such of the depositors who were still living and their descendants had never for one moment abandoned the claim which they considered they had upon the Government for the money of which they had been defrauded. It was true that the subject had already been investigated by a Committee of the House of Commons; but he met that by saying that since the holding of that investigation circumstances had occurred which had greatly strengthened the claims of the depositors. When the failure occurred Mr. Tidd Pratt, a Government officer, proceeded to Tralee, investigated the circumstances, and made an award that a sum of £16,000 was due to certain depositors who had deposited their money previous to the passing of 7 & 8 Vict., and he awarded these sums against the managers and trustees of the bank. The Committee evidently thought that the awards of Mr. Tidd Pratt were good and binding, and that the £16,000 would have been recovered from the trustees and managers. However, that was not the case, for a verdict which had been obtained against the trustees in an action for £100, brought by a depositor, was after argument in the Court of Queen's Bench set aside, Chief Justice Blackburn, who delivered the unanimous judgment of the Court in favour of the defendant, observing that no action could be maintained on the awards, which were bad in form and in substance, and he added that he thought the depositors who had been deprived of their legal right by the insufficiency of the awards of a public officer had a moral and equitable claim to be recouped the amount of their awards. He believed that had the Committee been aware of these facts they would have dealt with this case as they had done with that of the Cuffe Street Savings Bank, and recommended the Government to compensate the depositors. A second class of depositors consisted of those who had lodged their money subsequent to the year 1844, and who by the change in the law made that year were deprived of the security which the other class of depositors had in the personal liability of the trustees and managers. The claim of the second class of depositors was founded on the facts that they were unaware of the change in the law, and that the Commissioners for the Reduction of the National Debt had systematically violated the provisions of the Act 7 & 8 Vict., for the management of savings banks. These allegations were substantiated by the Report of a Committee of that House which some years ago sat to investigate the Tralee case. The Act required that bonds should be given by the officers of the bank and lodged with the clerk of the peace for the county and the National Debt Commissioners, but it was not enforced with regard to the actuary, nor was that fact made known to the depositors, by the neglect of which the actuary was able to carry on unchecked his system of fraud. The complaint was that the National Debt Commissioners, by their neglect, had contributed to the loss, and they being Government officers, the Government was liable for their acts of negligence. There was a striking difference between the Cuffe Street Bank and the Tralee Bank. The trustees of the former had actual notice of what was going on. There the Government called on the bank to have their accounts investigated, but the bank refused; but in the Tralee Bank, owing to the bungling and incompetence of the Government officer, the depositors were prevented from recovering £16,000 of their money, and therefore he was justified in expecting that the Government would not disclaim responsibility in the case of the Tralee Bank. There was still, he might add, a very small sum in the hands of the Commissioners, and he hoped the Committee for which he now begged to move would be able to suggest some course by which that amount might be made available for the depositors.

Mr. HERBERT seconded the Motion, and said it would be a great boon to those poor people if they got back the money which they had deposited in ignorance of the fact that the trustees were no longer liable to them for their deposits.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the case of the depositors in the late Tralee Savings Bank."—(*The O'Donoghue.*)

The CHANCELLOR of the EXCHEQUER said, he could assure the hon. Gentleman that he sympathized very much with those poor people in the loss which they had sustained; but the Government were in no sense responsible for the failure which occurred in 1847, owing to the defalcations of the actuary of the bank, which had, he believed, been going on for a considerable time. After the failure Mr. Tidd Pratt had gone over to Ireland, and, having inquired into the matter, had made some kind of award, by which the trustees of the bank were adjudged by him to be liable for a certain class of deposits. It appeared, however, that when an attempt was made to put the award into force it was found to be illegal, and that Mr. Tidd Pratt had not executed his duties in a proper manner. The consequence was that a Committee of the House of Commons had been appointed, which sat during one Session and a portion of two others, to investigate the claims of the depositors.

The O'DONOGHUE: The invalidity of Mr. Tidd Pratt's awards was not discovered until after the Committee reported.

The CHANCELLOR of the EXCHEQUER said, that would be important if it were the fact; but he found in a draft report which had been drawn up by the late Mr. Henry Herbert, a member of the Committee, that there was special reference made to the decision of Chief Justice Blackburn as to the invalidity of Mr. Tidd Pratt's award. The Committee, therefore, had the facts fully before them, and they reported that the cases of the Killarney and Tralee Savings Banks had no peculiar features differing from those of other banks that had suffered from the dishonesty of the directors. It was not desirable, therefore, that 25 years after another Committee should be appointed to review the proceedings of the previous Committee, and when many of the witnesses who were examined at that time, including Mr. Tidd Pratt, were dead. It would be a waste of time to do so, and it would be a hardship and a delusion towards those poor people, who no doubt treasured a sense of the wrong inflicted so long ago, that they should for a moment suppose that the House of Commons was likely now to do something for them. It was impossible that any Committee could take a different view from that appointed 25 years ago; and if they did it would be admitting a principle that would apply to every savings bank that failed in the United Kingdom. The Cuffe Street Savings Bank was a wholly different case; because there it was the action of the Government officers which more or less conduced to the loss, since Mr. Tidd Pratt, instead of recommending the winding up the bank, recommended that it should be continued, because he was afraid that by winding it up there would be a run on the other savings banks, and that great mischief would result therefrom; and then Parliament recognized the claim of the depositors by making a Vote of money in their favour. There still was, however, in the hands of the National Debt Commissioners a small sum of about £2,000, which undoubtedly belonged to the depositors in the savings banks if they could be got at. The Commissioners had always desired to give the money back to the trustees, if they would only undertake the responsibility of distributing it, but the trustees had always shrunk from assuming this responsibility. A short Act might be passed authorizing some person in whom confidence could be reposed to distribute the money among those who could make out their claims as depositors. Of course, the individual employed would be put to a great deal of trouble, and he must not be held responsible in regard to any claim which might be made upon him after the distribution.

Question put.

The House *divided*:—Ayes 54; Noes 133: Majority 79.

RAILWAY PASSENGER DUTY.

RESOLUTION.

MR. SERJEANT **SPINKS** rose to call the attention of the House to the manner in which the Railway Passenger Duty injuriously affected the interests of the Railways and the public, and to move—

> "That, in the opinion of this House, the Railway Passenger Duty ought to be reduced at an early date, with a view to its ultimate repeal."

Having traced the history of the Railway Passenger Duty, and pointed out how the Stage-coach Duty had been repealed in 1869, and the Horse Duty in 1874, the hon. and learned Gentleman proceeded to argue that railways and stage-coaches had been placed in a false position towards each other, and that railway companies were subjected to a great injustice. It was often said, in justification of the continuance of this tax, that railways were a monopoly; and the right hon. Gentleman the Member for the University of London (Mr. Lowe), in his Budget speech in 1870, had spoken of them as a somewhat qualified monopoly. The monopoly was certainly qualified, for it was difficult to point out in what it consisted. All the great centres of industry—Birmingham, Manchester, Liverpool, Leeds, Glasgow—had not only two but three railways competing with one another; and if in any case the injurious effects of monopoly were produced, there would be no difficulty in getting the House of Commons to bring the monopolists to their senses by wholesome competition. Besides stage-coaches, tramways, omnibuses, and canals competed with railways much more than hon. Gentlemen supposed. The average railway fare for all classes of passengers was 10½*d*. a journey. It followed, therefore, that a very large proportion of railway traffic must be at rates considerably less than 10½*d*. The average of passenger fares of all classes on the London and North-Western, with its great length, was 1*s.* 5½*d.*, and of the third class 1*s.* 1*d.* The average fare of all classes on the London, Chatham, and Dover was 7*d.*, and of the third class 5½*d.*; and on the Sheffield line it was very nearly the same. Omnibuses and tramways competed materially with the Metropolitan Railway, which carried passengers at an average of 2½*d.* per journey, and the Metropolitan District and the North London and South London lines were in much the same position as the Metropolitan. But it was not London only, but every great city of the Empire had its system of suburban railways, carrying an enormous number of people short distances at exceedingly low fares. It was argued that the railway companies were rich and could afford to pay this tax. That, however, was an argument which appeared to him to be the first step towards Communism, tending to dangerous results. The way in which he dealt with that argument was to deny that it was true. The railway companies, as a body, were not rich. In 1874 £38,000,000 of railway property paid no dividend whatever, and he did not believe that that figure had since been much lessened, and the average dividend of all the railway companies only amounted to £4 8*s.* per cent. There might be some sense if you were taxing companies which were really rich, but where was the propriety of taxing a company like the Great Eastern, which, after a great struggle, had paid a half per cent upon its ordinary stock; or the Cornwall Railway, which could only pay its preference shares by borrowing; or the Torbay Railway, which paid nothing even on its debentures? He supposed the tax would be exacted even if a company were unable to pay its working expenses. In the Report of the South Devon Railway Company for 1872 reference was made to the "undue and exceptional taxation to which this description of property is subjected," and at that time the Chancellor of the Exchequer and another Member of the Government were directors of the company. The right hon. Gentleman, of course, did not frame the Report, but it must have received his sanction, and railway shareholders might hope that he was still of the same opinion. The tax was not only an exceptional one; it restricted locomotion, and thus materially interfered with the commercial prosperity of the country. The late Sir Robert Peel, when stating his celebrated Budget in 1842, said that—

> "Nothing but a hard necessity would induce him to derive revenue from locomotion;" and again, that "he should contemplate with great reluctance and regret the necessity of increased taxation upon railroads." — [3 *Hansard*, lxi. 435-6.]

This was an authority always listened to in that House with respect. There were other reasons why it was inexpedient at this time to impose these burdens on railways. New scientific appliances were costing the companies large sums. The block system cost the North-Western Company £250,000 a-year; and at the late inquiry into the Great Northern accident it was said by the officials that that company paid £80,000 a-year for the purpose of the block system. The price of labour, too, was largely increasing. In the Report of the North-Eastern Company for the last half-year the increased expenditure from this cause was set down at £46,000 a-year, and the Chairman of the Midland Railway Company indicated a somewhat similar sum. Nor was the tax itself small in amount, as was sometimes said. The London and North-Western paid in 1875 on this account £143,000; the Great Western, £92,000; the Great Eastern, £43,500, being rather more than they distributed in dividend; and the Great Northern, £36,400. The tax tended to become a perpetual annuity upon railways; and if capitalized at 4 per cent, at which sum the leading companies could borrow money, the tax would represent to the London and North-Western a capital sum of £3,600,000; to the Great Western, £2,300,000; to the Great Eastern, £1,100,000; and to the Great Northern, £920,000. If the companies raised these sums at 4 per cent, they would have to pay the interest, but would be able to expend the capital in improving their means of communication and increasing accommodation. The Great Northern Company were told, after the recent accident, that they should construct a new line. Such a line would cost more than £1,000,000, and the whole sum would be furnished if the duty were remitted, and the capital which it represented were raised by the company at the rate of 4 per cent. A recent judicial decision with reference to the Cheap Trains Act had brought the railway world and also the public to the conclusion that the time had come when the matter should be taken into consideration and finally and satisfactorily disposed of. The provision that in order to be exempt from that duty trains containing third class passengers must stop at every station on the line operated in the most absurd and oppressive manner, especially at a period when the railway companies had abandoned their formerly somewhat narrow and exacting spirit, and were now pursuing a more liberal policy towards the public, offering to the working classes, in particular, increased facilities for cheap and expeditious travelling, whereby their time, their only capital, was economized, their expenses on their journeys were reduced, and their personal comfort and convenience much increased. The short observation made by a man extremely well versed in railway affairs on the effect of that tax was that it greatly hampered managers in framing their time-tables. It also hindered their attempts to reduce fares and give increased accommodation, and its abolition would be as much for the interest of the public as for that of the shareholders. He hoped, therefore, that the present Chancellor of the Exchequer would be enabled to inaugurate a more sagacious policy, which would incite railway directors to a generous rivalry in the career of reduction and concession; and he confidently predicted that any immediate sacrifice which might thus be entailed on the Revenue would be recouped over and over again through the stimulus that would be imparted to the general trade and commerce of the country. It had been suggested that if the tax were reduced the railway companies ought to bind themselves to make some concessions to the public; but in bringing forward the question on behalf of the railway companies, and of the public, he assured the House that they asked, not for any favour, but only for justice, which in any country ought not even in appearance to be either bought or sold; and he hoped that the Chancellor of the Exchequer would adhere to the constitutional declaration—"We will deny justice to no man, neither will we sell it." The hon. and learned Gentleman concluded by moving his Resolution.

COLONEL MAKINS, in seconding the Motion, expressed a hope that the Government would see their way to accept it, or, at least, to agree to the proposal which was to be made by the hon. and learned Member (Mr. Rodwell) for a Select Committee to inquire into the subject.

Motion made, and Question proposed,

"That, in the opinion of this House, the Railway Passenger Duty ought to be reduced at an early date, with a view to its ultimate repeal."—(*Mr. Serjeant Spinks.*)

MR. RODWELL rose to move, as an Amendment—

"That a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of the cheap trains."

The Amendment was by no means antagonistic to the Motion of his hon. and learned Friend, for he fully agreed with him in the views which he entertained and he prayed in aid of the facts which had been laid before the House; but he thought that the plan which he suggested was the proper way to deal with the question, as it would pave the way for future legislation. Injustice at present was inflicted in three ways—injustice on the railways in general, on the railways in particular, and on the public at large. The operation of the law was perfectly at variance with the spirit on which the Cheap Trains Act was framed—namely, to enable the working classes to have greater advantages in railway travelling. They were now in this position — they must either travel by stopping trains or pay something extra for their fare, for many lines had added 5 per cent to the third-class fares. The persons for whom cheap trains were originally intended had to suffer either in time or in money. This was not a matter which could be dealt with by an abstract Resolution. If there was a grievance it would be redressed, and the feeling had now grown up, not simply on the part of the railway shareholders, but on the part of the public, that the time had arrived when something should be done. He trusted that the Government would agree to the appointment of the Committee for which he asked.

MR. LEEMAN seconded the Motion.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of cheap trains,"—(*Mr. Rodwell,*)

—instead thereof.

THE CHANCELLOR OF THE EXCHEQUER said, he did not think the House would desire him at that moment to enter at large upon the question of the railway passenger duty. It was a large and difficult subject; and if he had only to deal with the Motion of the hon. and learned Member for Oldham (Mr. Serjeant Spinks), it would, of course, be necessary to enter at some length into it. But they had the alternative proposal of his hon. and learned Friend the Member for Cambridgeshire (Mr. Rodwell), and it seemed to him that the course which would be most convenient would be that he should accept the Amendment and agree to the appointment of a Select Committee for the purpose of—

> "Inquiring into and reporting upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of the cheap trains."

The question of the railway passenger duty had been several times brought under his notice, and he had carefully considered whether the claims advanced by those who pleaded for the abolition of that duty were claims which he could recognize; but on looking closely into the matter, with a view to practical action, he found it by no means easy for a Chancellor of the Exchequer to deal with it. One of the difficulties which he had always felt was this—that a question had been raised whether the tax ought to be taken off in the interests of the companies or of the travelling public. So far as the interests of the shareholders were concerned, the question, no doubt, was one which would deserve consideration; but if they were to be relieved of the burden which had been borne since railways began, and which had been voluntarily undertaken, it was reasonable and fair to ask on behalf of the public what advantage the public were to derive in return from the abolition of the tax. Besides that question, there was the further one, which was more directly pointed at in the Amendment. When first the railway system was brought under the serious notice of Parliament, a desire was felt on the part of the Legislature to promote travelling, and it was at that time supposed that railway travelling must necessarily be expensive, and that, therefore, it would never be worth the while of the companies to run trains at low rates to suit the working classes. It was thought desirable to introduce clauses into the Act of Parliament requiring the railway companies to run trains likely to be useful to the working classes; and in order to make that obligation less unpalatable to the companies it was accompanied in the case of those particular trains by the remission of the railway passenger duty. It now became a question with regard to the working classes themselves whether the particular stipulations made for the benefit of those classes really conduced to their benefit or not, and whether it might not be actually to the advantage of the travelling public that the companies should be set free to make the best provision they could, untrammelled by any legislation on the subject. He felt that, under the circumstances of the present day, it was exceedingly probable that the obligations laid upon the directors and managers of railway companies, especially as they had now been interpreted by Courts of Law, might interfere with their making the best possible arrangements for the convenience of the working classes, and they might also lead to unnecessary inconvenience to the railway companies themselves. That was a point they would have to consider. They had also to bear in mind that since railways were introduced a great change had occurred in the circumstances under which the working classes used the railways. It was impossible in dealing with the question to leave out of sight the cognate question of the dwellings of the working classes. The House must see that legislation and the efforts of the Government were now directed towards removing to a great extent the working classes from the centres of industry and sending them, very much for the benefit of their health, to some little distance from the place of their employment; but unless they could have the advantage of cheap, rapid, and frequent locomotion that benefit would be considerably diminished and neutralized. The difficulty was to devise some means by which to mitigate and meet this inconvenience; and on one occasion when a deputation connected with the metropolitan railways discussed this question he asked them whether they could propose any plan by which passengers by third class trains should receive a greater benefit than they did. He was, however, afraid that they were not at that time able to make any practical suggestion for the attainment of the object which they had in view; but he was prepared to have the question fully sifted, to see whether some practical solution of it could not be found. Nothing would give him greater pleasure than that the Government should be able so to re-arrange the system of passenger duty as to give encouragement to workmen's trains and greater facilities to those by whom they were used. Leaving, then, the large question open, he had great satisfaction in supporting the Amendment.

SIR EDWARD WATKIN said, he did not propose to oppose the Amendment, because to do so would be useless, as it was to have the support of the Government; but if the hon. and learned Member for Oldham (Mr. Serjeant Spinks) took a division on the Main Question he should certainly vote with him, because he looked upon a tax on locomotion as next to one on food—as almost the worst that could be imposed; and he should like to have it plainly seen whether the Government were in favour of such an imposition or not, while if a Committee were appointed, the House and the country would remain in happy ignorance of their views on the subject.

MR. FAWCETT also expressed a hope that the hon. and learned Member for Oldham would press his motion to a division—not for the same reason assigned by the hon. Member who had just sat down, but in order to afford Her Majesty's Government an opportunity of meeting the proposal not by a side wind but by a direct negative, so that the country might ascertain the opinion of the House on the subject. He protested against the Select Committee policy of a Government which called itself strong, but which did not appear to be capable of making up its mind on a single subject. Representing as he did a constituency (Hackney) in which there were a great number of working men, he had not received a single application asking him to support the repeal of the passenger duty, while he could not go into the Lobby of the House without being pestered with solicitations from railway directors and others interested in railways to lend his assistance to get rid of the tax. Now, let him suppose that the Chancellor of the Exchequer had announced it that evening to be his intention to repeal it; what would be the result? Would there be the smallest security that the public would receive one bit better railway accommodation? No; but the evening papers to-morrow would certainly contain statements to the effect that the railway market was remarkably firm, and that there was a rise of 3 or 4 per cent in Metropolitan, South Eastern, and London and Brighton stock. He did not, he might add, know what the Report of the proposed Committee would be, or how many railway directors would be upon it; but in order to give the public fair warning not to speculate in railway shares because of its appointment, he thought that, as a matter of common honesty, it could not be too explicitly stated that there were some hon. Members in the House who would resist as strenuously as they could the remission of an important branch of revenue in order to benefit those who happened to have invested in a particular kind of property. This was a question in which railway directors and shareholders were much more interested than the public. He was filled with the utmost astonishment that the Chancellor of the Exchequer, whose finance was generally sound, did not meet this proposition in a bolder spirit. What was the argument for it? It was said that the railways were unjustly treated and exceptionally taxed, because they had to pay a certain duty from which omnibus and cab proprietors and other owners of locomotion were exempt. But that was an obvious fallacy. The railways were a monopoly. That House gave them a *locus standi* to oppose any Bill for the purpose of making a competing line. Suppose the London and Brighton Railway was paying 10 per cent and a new line were projected, the House had given the company the right to step in and oppose it—a right which had been frequently exercised under such circumstances by the existing companies. But if the General Omnibus Company were paying 10 per cent there was nothing to prevent anybody from starting fresh omnibuses and participating in that profitable trade. The one was a monopoly and the other was perfectly open, and that distinction made all the difference as to burdens placed upon locomotion. This duty produced £700,000, which, capitalized at 30 years' purchase, would produce £20,000,000; and the proposal meant simply to transfer that sum to the pockets of the shareholders, for not a penny of it would ever reach the public. The Government did not like to meet the proposition with a direct negative, and the Amendment afforded them a convenient means of escape. The plea of injustice was utterly untenable. When the proprietors of the Metropolitan, which was always put forward as the strongest case, came to that House and asked permission to make a railway, they knew perfectly well that their line would not carry goods, but chiefly passengers, and they knew also that this duty would be charged upon them. They said nothing then of injustice or harsh treatment—or of being subject to special taxation—it was not till they had made their railwas that they spoke in that tone. No injustice, therefore, was done either to investors or constructors, unless some new conditions or burdens had been imposed since they obtained their line. The Amendment of the hon. and learned Member for Cambridgeshire (Mr. Rodwell) was drawn in such elastic language that it would permit the whole subject to be opened by the Committee, which might—so far as the terms of the reference went—report that they had taken evidence, and upon that recommend the total abolition of the passenger tax. They might add, "especially having view to the working classes," but that would only be a bit of empty ornamentation. What would be the position of the Chancellor of the Exchequer, or of his possible successor, when he had not got a shilling of Revenue to spare—when the expenditure was increasing, and the Revenue not particularly prosperous—when he would be at his wits' end for money to carry out his grandiloquent scheme for getting rid of the National Debt—if this Committee came down and recommended the immediate repeal of this tax, which produced £700,000 a-year? The Chancellor of the Exchequer would then be convinced he had been guilty of a dangerous abnegation of power in referring this question to a Select Committee instead of at once deciding against it for himself. Now, at railway meetings directors occasionally indulged in tall language, threatening to abolish workmen's trains and do other things to diminish the accommodation of travellers. He thought, however, that the working men and the public might be quite comfortable, for the more inconvenient and costly travelling was made, the worse it was for the railway companies themselves. If this condition did not apply, the monopoly of railway companies could not continue for a week. It was said that an additional 5 per cent had been charged by some railway companies upon a portion of their traffic, and that this was the price which the working classes must pay as long as the tax continued. But what security was there that, if the tax were repealed, fares would be reduced? It would be as reasonable to expect a tailor or a bootmaker to work from philanthropic motives as it was to expect a railway company to charge under any circumstances any other fares than those which would pay the best. The Chancellor of the Exchequer, on behalf of the public, should exact some definite equivalent from the railway companies in lower fares or better accommodation before surrendering this £700,000; but he regretted that the right hon. Gentleman did not, in answer to this Motion for a Select Committee, adopt the unanswerable arguments which he had urged earlier in the evening against the appointment of a Select Committee upon the Wine Duties.

Mr. HERMON said, that he knew from experience that the working classes were well able to take care of themselves, and did not value the patronage of hon. Members in that House. He thought the better course to adopt would be for the House to leave altogether out of consideration the reference to a Select Committee, and vote on the direct Motion of the hon. and learned Member for Oldham (Mr. Serjeant Spinks). Railway companies had gone into business of late years with their eyes open, and they could not complain of injustice by the continuance of the duty. Many trades had to pay duty for the privilege of their being carried on, and the railway companies having taken upon themselves the carrying monopoly they must submit to the terms that had been imposed and the public must put up with the inconvenience. If a Committee was appointed it should be entrusted to inquire not merely as to the reduction or repeal of the tax, but as to the benefits which the public were to have in return for the surrender of so much annual Revenue.

Mr. LAING said, he would advise the hon. and learned Member for Oldham to withdraw his Motion, and let a division be taken on the Amendment of the hon. and learned Member for Cambridgeshire for a Select Committee. If ever there was a question proper for a Select Committee, it was this question of the passenger duty. The speech of the hon. Member for Hackney (Mr. Fawcett) afforded the strongest argument for reference to a Select Committee, for a speech more full of fallacies and misstatements he had never heard. If a Select Committee was agreed to, he hoped the hon. Gentleman would be a Member of that Committee, and he (Mr. Laing) would undertake to produce evidence that would refute every one of the assumptions which pervaded his speech. The hon. Gentleman contended that the travelling public had no interest in the remission of the duty. But the fact was the travelling public would be benefited immediately by its abolition to the extent of one-third, though the chief advantage would be that it would cease to hamper the time table. In the Brighton Railway, with which he (Mr. Laing) was more immediately connected, they had not waited for the action of Parliament or of the Government, though the burden was felt; but out of the 22,000,000 of passengers annually carried 20,000,000 were third-class passengers, and the average fare of each passenger was only 10½*d.* Was it to be supposed that they would not be benefited? The hon. Gentleman had himself admitted that it would be a hardship on railway proprietors if they found themselves in a different position from what they were in when they applied to Parliament for permission to make their lines. But what railway proprietors complained of was that they were in a different position, because until lately there was a duty on all other kinds of locomotion, and the railway tax had been fixed in relation to that duty, and imposed exactly as an equivalent. But while the taxes on locomotion generally had been abolished the railway passenger duty remained. In his judgment, the Chancellor of the Exchequer would not have acted fairly, either to the railway interest or to the public, if he refused a Select Committee to investigate all the circumstances, and see whether it was not possible to devise some modification of the laws relating to cheap trains which would enable the companies to give larger accommodation to the public without seriously trenching on the revenue.

Mr. GREGORY, though seldom agreeing in the views of the hon. Member for Hackney (Mr. Fawcett), confessed that he concurred in a great deal of what had fallen from him on this subject. The question simply involved one main point. It was whether £700,000 a-year which was now paid by the railway companies should be taken off their shoulders and shifted on to the shoulders of somebody else. The Chancellor of the Exchequer could certainly not afford such a reduction, and if there was any change it must be of the nature he had suggested. But why should railway companies be excepted from special taxation? There were many other classes in this country who had to pay special taxes. Brewers, auctioneers, publicans, and others had to do so. The profession to which he belonged had to pay special taxes, both while students were preparing to enter it and after they had entered it. The common notion was that there was a monopoly in these cases which justified the special tax, but in fact in the legal profession the road was open to all; in the railways it was only open to those who could comply with the conditions laid down by the companies, and they were therefore close and practical monopolies. He could not help thinking that if the railway companies had avoided their internecine quarrels and contests they would have been under no necessity of asking for a remission of taxation to make up their dividends. He quite agreed that if any inquiry was made by a Select Committee it should distinctly include what the public were to receive in return for the surrender of the £700,000 a-year to the railway companies.

Mr. KNATCHBULL-HUGESSEN would not have taken part in the debate but for the speeches of the hon. Member for Hackney (Mr. Fawcett) and the hon. Member for West Sussex (Mr. Gregory).

The latter hon. gentleman had found fault with the South Eastern Railway Company; but speaking as a director of that Company he (Mr. Knatchbull-Hugessen) would say that it had no desire to avoid but would rather court investigation into its affairs and management. The hon. Member for Hackney, giving his opinions with great confidence and as if they were such as could not be controverted, was very vehement in his condemnation of railway shareholders and directors. But the principle of a tax upon locomotion was either right or wrong, and if wrong, why should it be retained in one particular instance, merely because, whilst the public would be benefited by its abolition railway shareholders would also be incidentally benefited at the same time. But he begged to ask, if the hon. Member for Hackney was in favour of a tax on locomotion, where was that hon. Gentleman when the duty was taken off omnibuses and stage coaches? Was his voice equally raised against the repeal of the latter tax as it was raised that night in favour of the retention of the railway passenger duty? On the other hand, if taxes on locomotion were objectionable in principle, on what just ground were railway companies to remain subject to them while their competitors had been relieved from them? The hon. Member for Hackney might feel a particular aversion to railway directors and shareholders, but they were persons who stood in the van of a great public improvement, for the execution of which they had risked their capital; and it could not be denied that they had secured to the country enormous national benefits. Moreover, it should be recollected that whilst the omnibuses and stage-coaches paid nothing towards the maintenance and repair of the roads upon which they travelled, and which they cut up considerably, the contrary was the case with the railway companies. They not only bore the whole expense of repairing and maintaining the roads on which their trains ran, but those very roads were rated to the poor rates to a very large amount. This rating was based upon no principle such as regulated general rating, but a railroad which so far from injuring a rural parish, brought to it wealth and prosperity, afforded employment to its inhabitants and added largely to its rateable value, was itself in many instances exceedingly highly rated in proportion to other property, and in every case contributed very largely to local taxation. The passenger duty was placed on them at a time when it was deemed desirable to equalize the taxes on locomotion, and now that their rivals had been freed from those imposts the railway companies only expected to be treated with fair play. As, moreover, the effect of a recent judicial decision had been greatly to increase their burdens, they were surely entitled to ask the House whether it really intended them to labour under that aggravated disadvantage. On a great question of policy it might not be right for the Government to have recourse to a Select Committee; but this was a matter of a social nature, and one well fitted to be referred to such a body. The hon. Member for Hackney, when he contended that the money would go into the pockets of the shareholders, was probably judging from what occurred on the repeal of the omnibus and stage coach duty, which he did not oppose. For his own part, he could not help thinking that this burden on railways was unjust, considering the great amount of wealth and prosperity which they had spread throughout the country—and he would recommend the House to agree to the appointment of the Committee.

COLONEL BERESFORD said, the General Omnibus Company had reduced their fares 50, nay in some instances, 100 per cent when the stage carriage duty was abolished, and he wished to know if the railway companies would, if they got rid of the passenger duty, act with the same amount of liberality?

MR. MACDONALD believed that the movement had been set on foot by railway directors, railway managers, and railway shareholders, to increase their profits or dividends, and expressed his regret that the Government had consented to the appointment of a Committee, for the Motion did not afford the slightest hope that the case of the working classes would receive proper consideration. The tax every railway company knew of when they got their Bills—in fact, they bought them with those conditions. It was no answer that some of them did not pay; all trades might as well come under the Government and ask to be relieved of their legal obligations because they did not pay as railway companies.

MAJOR DICKSON said, that if railways were to be taxed because they were a monopoly, he did not see why tramways should not be taxed also. He approved the appointment of a Committee.

MR. M'LAREN would vote against both the Motion and the Amendment. It would be a most improper and ill-judged thing to reduce the tax. He quite agreed with those hon. Members who had complained that the working classes had been put forward as a sort of stalking-horse. He did not believe, if the duty were reduced, that it would materially affect the working classes. He could not understand why there should be this patronizing of the work-classes. The working classes were, in his opinion, the most independent class in the country. There was no class better able to take care of itself. The working classes did not need to be patronized—they did not want to be patronized. They did not want any favour—nothing but equal justice, and if that was given them they would ask for nothing more. If the Amendment did not indicate a reduction of the duty and a desire to abolish it, then it was altogether meaningless and a mockery. Why should there be a Committee at all? The question had been so well argued, and his views had been so well expressed by the hon. Member for Preston, that he felt he should be wearying the House if he proceeded further; but, in conclusion, he wished to say that he should vote both against the original Motion and against the Amendment.

MR. SERJEANT SPINKS said, he was willing to withdraw his Resolution in favour of the Amendment. ["No!"]

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Question proposed,

"That the words 'a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of cheap trains,' be added, instead thereof."

MR. FAWCETT, in order to render the appointment of a Select Committee as little injurious as possible, moved to add the following words—

"And further to inquire what additional accommodation for the public may fairly be demanded from the Railway Companies as an equivalent for the reduction or the abolition of the Duty."

Amendment proposed to the said proposed Amendment, to add, at the end thereof, the words

"and further to inquire what additional accommodation for the public may fairly be demanded from the Railway Companies as an equivalent for a reduction or the abolition of the Duty."—(*Mr. Fawcett.*)

THE CHANCELLOR OF THE EXCHEQUER said, he had heard the speech of the hon. Member with surprise, but he had heard his Amendment with astonishment. He had declared his object was to restrict the inquiries for the Committee, but his Amendment would greatly enlarge them. If they were to get into the question of what railway companies should give in return for the reduction of the tax, they would be dealing with that which he was anxious the Committee should avoid. He should certainly oppose the Amendment.

Question put, "That those words be added at the end of the proposed Amendment."

The House *divided:*—Ayes 41; Noes 113: Majority 72.

Question put,

"That the words 'a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effects upon the working of cheap trains,' be added to the word 'That' in the Original Question."

The House *divided:*—Ayes 137; Noes 23: Majority 144.

Main Question, as amended, put.

Ordered, That a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of cheap trains.

And, on March 23, Committee *nominated* as follows:—Lord CLAUD HAMILTON, Sir HARCOURT JOHNSTONE, Earl PERCY, Mr. ARTHUR PEEL, Mr. BRUCE, Mr. KNATCHBULL-HUGESSEN, Mr. JAMES CORRY, Mr. ASHLEY, Mr. EDWARD STANHOPE, Mr. SAMUDA, Mr. Serjeant SPINKS, Mr. SULLIVAN, Sir JOHN KENNAWAY, Mr. M'LAGAN, and Mr. RODWELL:—Power to send for persons, papers, and records; Three to be the quorum.

And, on March 29, Sir JOHN KENNAWAY *disch.*, Mr. MACDONALD, Viscount CRICHTON, and Mr. LEIGHTON *added.*

MUNICIPAL OFFICERS SUPERANNUATION BILL—[Bill 2.]

(*Mr. Rathbone, Mr. Birley, Mr. Dixon, Mr. Cawley, Mr. Kirkman-Hodgson, Mr. Torr.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Rathbone.*)

Mr. FIELDEN moved that the Bill be committed that day six months, on the ground that it imposed an additional burden on the ratepayers of the country.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee," — (*Mr. Fielden,*) — instead thereof.

Mr. BECKETT-DENISON strongly opposed the Bill, on the ground that it was most unfair to impose such a measure on the whole country simply because the corporation of Liverpool wished to deal generously with some of its old servants.

Mr. ANDERSON supported the Amendment, and observed that if it were true that the Bill was introduced in consequence of certain municipal arrangements intended at Liverpool, it was a vicious precedent, which the House would do well to avoid.

Mr. RYLANDS stated that he had received a letter from Liverpool informing him that the Bill was only supported in the corporation by a majority of 25 to 24, against an amendment proposing that the municipal employés should form a superannuation fund from which they might receive annuities on their retirement either from old age or infirmities. He believed the principle of the Bill to be most vicious.

Mr. HERMON said, he had been requested by the Mayor and Corporation of Preston to give every opposition to this measure.

Mr. RATHBONE said, it would be found by a reference to the Petitions that the Bill was generally desired by the boroughs. The superrannuation it proposed was more limited than was possessed by any other public bodies. He had found, in taking out the calculations for Liverpool in order to ascertain how much would be the extreme amount of superannuation that could be given under the Bill, that if the Town Council were to superannuate every man who could be so dealt with at the highest rate the Bill would allow, the result would be that on a total of salaries amounting to £45,770 they could only superannuate 12 persons, and the total cost would be £1,100, for which they would get 12 active young men in place of 12 men over 65 years of age, or who were incapacitated by illness. He maintained that nothing was more expensive than to retain inefficient servants, especially in borough corporations, where there was much work to do and where there were large sums of money to be disposed of. He appealed to the spirit, fair play, and justice of the county Members, who had such large powers in their own hands, and who could superannuate their servants to a much greater extent than was proposed in the Bill, not to oppose a measure that would only tend to give municipal bodies powers to secure efficient administration which they themselves possessed, and constantly found it desirable to use. He trusted the House would agree to go into Committee on the Bill.

Mr. MUNDELLA said, he had received a telegram from the corporation of Sheffield asking him to support the Bill. He believed that it would be a measure of economy; because it would enable the municipal corporations to appoint young and efficient officers, instead of retaining old servants who had become unfit for their duties, and whom they did not like to discharge because they could not give them a retiring allowance.

Sir WALTER BARTTELOT said, he was astonished to hear such a statement from the hon. Member for Sheffield. Why did not corporations do as the counties did with the police, who paid a certain amount in order to get retiring pensions? He should vote for the Amendment.

Mr. WILSON supported the Bill.

Sir GEORGE BOWYER said, the objection to the Bill appeared to be based on the assumption that the municipal corporations of the country could not be trusted to grant pensions to their servants when they were incapable of serving them longer. If the corporations were corrupt, the Government ought to bring in a Bill for their reform; but efficient service could not be obtained without means of superannuation.

Mr. E. J. REED said, he could not support the Bill, as he had not heard any intimation that corporations would be discouraged from giving pensions to persons who had all their lives been paid full salaries on the assumption that they would not receive pensions.

Mr. COLMAN believed that the Bill would increase local taxation, but would lead to promote efficiency.

Mr. Serjeant SIMON argued that the Bill simply met a demand of humanity.

Mr. HEYGATE said, he could not vote for conferring a power of this kind on corporations until they were cleared from suspicion of political jobbery.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 68; Noes 88: Majority 20.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Committee *put off* for six months.

SHERIFF COURTS (SCOTLAND) BILL.

On Motion of The Lord Advocate, Bill to alter and amend the Law relating to the administration of justice in Civil Causes in the ordinary Sheriff Courts in Scotland; and for other purposes relating thereto, *ordered* to be brought in by The Lord Advocate, Mr. Secretary Cross, and Sir Henry Selwin-Ibbetson.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 8*th March*, 1876.

MINUTES.]—Select Committee—Parliamentary and Municipal Elections, *nominated*.

Public Bills — *Ordered* — *First Reading* — East India (Chief Justices of High Courts) * [98]; Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * [99].

First Reading—Sheriff Courts (Scotland) * [96].

Second Reading—Game Laws (Scotland) [3]; Homicide Law Amendment [75], *debate adjourned*.

Committee—Sea Insurances (Stamping of Policies) (*re-comm.*) * [93]—r.p.

Committee — *Report* — Partition Act (1868) Amendment * [73-97].

Third Reading — Epping Forest * [66], and *passed*.

GAME LAWS (SCOTLAND) BILL—[Bill 3.]

(*Mr. McLagan, Sir William Stirling Maxwell, Sir Edward Colebrooke, Mr. John Maitland.*)

SECOND READING.

Order for Second Reading read.

Mr. M'LAGAN, in moving that the Bill be now read a second time, said: Mr. Speaker, I trust that it will not be considered out of place if I give in a few sentences a short history of the game legislation of recent years. In 1845, on the Motion of the right hon. Gentleman the Member for Birmingham (Mr. John Bright), a Select Committee was appointed to inquire into the operation of the Game Laws. This Committee, which sat for two years, recommended certain modifications of the Game Laws, some of which have been since carried out. These changes, however, did not diminish the preservation of game, or allay the dissatisfaction which was due to it. On the contrary, the slaughtering of hand-fed pheasants had become such a fashionable pastime, and dignified by the name of sport, that every exertion and precaution were used to produce them in as great numbers as possible for the battues; and the evils of this excessive preservation of both winged and ground game were thus greatly increased. The dissatisfaction caused by this state of things among the population in certain parts of the country was so great that the game question was again forced upon the attention of the Legislature. Session after Session in the Parliaments of 1865 and 1868, Bills were introduced with the object of remedying these evils, and in 1871 and 1872 the zeal of Game Law reformers reached its height, if we may judge from the number of Bills introduced—namely, nine. We had the Bill of the hon. Member for Rochester (Mr. Wykeham Martin), which gave the tenant an inalienable right to the rabbits; while the hon. Member for Leicester's (Mr. P. A. Taylor's) provided for the withdrawal of all protection from game. The hon. Member for Bury St. Edmunds (Mr. Hardcastle) made game, and even rooks and wood pigeons, property. The noble Lord the Member for Haddingtonshire (Lord Elcho), and the Lord Advocate of the day, Lord Young, proposed to base all legislation in game on contracts; while the hon. Member for Wick (Mr. Loch) prohibited contracts in hares and rabbits. The hon. Member for Wenlock (Mr. Brown) proposed to repeal the Poaching Act of 1862. The hon. Baronet the Member for West Essex (Sir Henry Selwin-Ibbetson) declared that no contract in game would be valid if inserted in an agricultural lease or agreement: and I proposed to exclude hares and rabbits from the game list. It was no wonder that when such a covey rose the House was bewildered and felt at a loss at which bird to aim, and the consequence was that all escaped and died a natural death in some neighbouring preserve. But, Sir, the House, dreading a repetition of such an infliction, assented to the proposal to refer the question to a Select Committee, that refuge for the destitute, or a Royal Commission, that extinguisher of a disagreeable question. The former was chosen, and the game legislators were sent up stairs to inquire further into the subject, to fight out their battles, and try to agree upon some proposal which would also satisfy the House. Two years were spent by this Committee in its investigation. It was generally reported that the right hon. Gentleman the First Lord of the Admiralty (Mr. Hunt), who presided over that Committee with such ability and fairness, had prepared a Bill embodying the views of the majority of the Committee to be introduced in the Session of 1874. That unfortunate Dissolution, however, which caused the opposing parties to change sides in this House, propelled the right hon. Gentleman from the front Opposition bench to the Treasury bench, and invested him with the responsibilities of office, deprived the House and the country of his attempts to settle the question. Those of the Committee who were in the minority considered themselves justified, from the number who voted on one of the principal propositions in the Committee—namely, that hares and rabbits should be excluded from the Game list—in also embodying their views in a Bill. It was intended at first to apply this Bill to the United Kingdom, but being deprived of the aid of some friends representing English constituencies on the other side, and who were unwilling to embarrass their Leaders in their new and unexpected position, I introduced the Bill as extending only to Scotland. That Bill differed in certain particulars from those I had previously brought in but agreed with them in the main provisions. In my first attempt at amending the Game Laws, I adopted the programme of the Scottish Chamber of Agriculture, which consisted of four provisions, namely—1st, That hares and rabbits should be struck out of the game list; 2nd, that cumulative punishments should be abolished; 3rd, that the jurisdiction in prosecutions under the Game Laws should be transferred from the Justices of the Peace to the Sheriffs; and that there should be a cheap and easy mode of obtaining compensation for damages done by game. The Bill of 1874, in addition to these provisions, contained others recommended by the Committee, and was, upon the whole, more ambitious in its scope and character, for it attempted not merely to amend, but to consolidate all the existing Game Acts of Scotland. The Bill which I have now the honour to ask the House to read a second time is only a part of the last one. It contains three of the provisions of my first Bill—namely, the abolition of cumulative punishments, the transference of the jurisdiction from the justices of the peace to the sheriff, and a cheap and easy mode of obtaining compensation for game damages; and a modification of the fourth—namely, the striking of hares and rabbits out of the Game list only as regards the tenant, and not as regards the public as in my former Bill. In dealing with this question, I have attempted to find some common ground on which all Game Law reformers could meet. We all agree in three of the provisions mentioned above, and also that the tenant should have the full control of the ground game, or, at all events, that some means should be adopted for keeping them in reasonable numbers. The two principal proposals made for accomplishing this object are that hares and rabbits should be struck out of the Game list. The second is that they should be made the joint property of the landlord and the tenant, and that the tenant shall not be allowed to part with that right. The objection made to the first proposal is, that if you strike hares and rabbits out of the Game list, you throw open the fields of the tenant and the woods of the landlord to poachers. In other words, you invoke the aid of the poacher to keep down the number of those animals. The answer to this objection is, that if they are kept in reasonable numbers by the landlord, as they should be, there will be no temptation to the poacher to trespass on his lands in pursuit of game. There can be no doubt that this proposed plan would be effectual in keeping down the number of hares and rabbits. The objections against the other proposal—namely, to give a joint and inalienable right in hares and rabbits to the tenant—are, first, you will either have two game preservers instead of one, or you will do away with all game. It is said that a tenant exercising his right of killing the hares by the gun, frightens the winged game from the farm and thus destroys the sport of the landlord. Second, this proposal would prove quite ineffectual, for those who make it do not conceal that they are of opinion that it can be easily evaded; for a landlord has only to say in the beginning of the lease, if this were the law, that the rent of the farm would be, say, £400 so long as the tenant did not interfere with the ground game, but it would be in his option to make it £450 if he did interfere with them, or pressure would be put upon the tenant in some other way, which would be worse than any damage he might receive from the hares and rabbits. A third objection made to the proposal is that the passing of a law which can be so easily and flagrantly evaded tends to the demoralization of the people. Parliament has expressed its opinion upon this mode of dealing with the question in no unequivocal way. In 1870, when the hon. Member for Rochester (Mr. Wykeham Martin) introduced his Bill, giving the tenant an inalienable right to the rabbits, the feeling of the House was so strong against it that he was obliged to withdraw his Bill. In the following year 85 voted for the hon. Member for Wick's (Mr. Loch's) Bill, containing a similar provision, and 154 against it; and last Session the hon. Member for Forfar's (Mr. Barclay's) Bill, giving a joint and inalienable right to the tenant of all wild animals but the feathered game, was thrown out, only 66 voting for it, and 178 against. If the House will allow me, I shall read the opinion of one of the most distinguished tenant-farmers in Scotland on this provision. He says:—

> "I cannot see how this proposal is to benefit the honest farmer. I should not like to suppose there is a single person in this room whose word is not as good as his bond, so that if on becoming a tenant he gives his word of honour that he will protect hares or rabbits, what good will Mr. Loch's Bill do him? On taking a farm we should have to pass our word to protect both hares and rabbits. I deny that Mr. Loch's Bill can give these animals to the honest tenant, while it may have the effect of preventing honest tenants getting leases, in case they should afterwards turn dishonest."

Again, in reference to this proposal to interfere with contracts in Mr. Loch's Bill, the same gentleman said—

> "The tenants were not so imbecile as to require to go hat in hand to the Legislature, and ask them to protect them from their own acts."

These are the words of Mr. George Hope when he was tenant of Fentonbarns; and, however many in this House may differ from him in some of his opinions, all must admit that he is a man of strong common sense, of great shrewdness, of undoubted ability, of great practical knowledge, and is generally considered at the same time a good exponent of the views of the tenant-farmers of Scotland. In the Bill under consideration I propose to assimilate the law of Scotland to that of England in giving to the tenant the right to the game, unless reserved by the landlord, as recommended by the Committee in 1873. To make such reservation effectual the amount of damage agreed upon to be done annually to the crops of the tenant must be mentioned in the lease, and if the damage does not exceed the sum mentioned the tenant shall not be entitled to compensation, but if it does exceed the sum he will be entitled to compensation. The landlord will be assessed upon this sum for rates and taxes. One objection made to this provision is that it is not practicable—that it will be difficult, if not impossible, for the landlord and tenant to agree upon the amount of damage likely to be done to the crops annually for 19 or 21 years. Now, my answer to this is that it is actually done now in many cases. For instance, some landlords on letting their farms now, wishing to do justice with their tenants, and not to be annoyed afterwards with complaints, insist upon an offerer for a farm naming a sum which he may consider as value for the damage that may be done to his crops during the lease, and no difficulty is felt in doing this. Again, in many leases a clause is often inserted that a tenant shall get no compensation for any reasonable head of game, or damage done to his crops. When a dispute arises between landlords and tenants, the arbiters are at a loss to know what is meant by a reasonable head of game, or reasonable amount of damage. Instead of this indefinite term "reasonable amount," I propose that a sum should be stated which shall be considered as the starting point for any valuations that may afterwards take place. Another objection made to this proposal is the assessing of the landlord on the sum mentioned in the lease for rates and taxes. But there is nothing unreasonable in this. It is quite in accordance with the spirit of the Valuation Act. At present, when the game is let, rates and taxes are paid on the rent given for the game; but if it is reserved, even though that reservation may be the cause of a lower rent, no valuation is put upon the game, and consequently no rates are paid. This is manifestly unjust to the other ratepayers, for they have to pay more on account of this reduced rent. It is the principle of the Valuation Act that anything that adds to, or detracts from, the value of the land should be assessed. For instance, when a landlord and tenant agree by lease that the tenant shall lay out a certain sum on drainage, when that sum is expended both landlord and tenant are assessed on the annual value added to the land by such expenditure, even though the landlord reap no benefit from it during the lease. Surely, then, there is nothing unreasonable in the landlord being assessed on that sum by which the rent of the land is depreciated. Having disposed of the objections to the proposal, I may ask—What are the advantages of it? It is often said that the game clauses in leases are so much alike that tenants sign the leases without reading these clauses, the true character of which is not known till some dispute arises between the landlord and tenant about the game, and they are then found to be most unjust and oppressive. Now, if this provision were to become law, the tenant's attention would be drawn to the game clauses, as he would have to agree with the landlord as to the amount to be stated in the lease for damage to his crops. Another advantage would be, that if during the lease there were a change of the proprietor of the lands, or if the game were let and there were a large increase in the head of game, and the tenant felt himself aggrieved by such increase and consequent damage to his crops, he would only have to apply for arbiters to be put on to value the damage done, who would decide whether that damage was more or less than that represented by the sum stipulated in the lease. It may be said that this provision could easily be evaded by the sum mentioned in the lease being small or large; but if the sum mentioned were too small, the landlord would run the risk of having to pay afterwards a much larger sum for damages to the tenant. If a large sum were mentioned in the lease he would have to pay more rates and taxes, and thus there would be a check put upon him in either case. I come now to speak of that provision in which the present Bill differs from those I have previously introduced. In previous Bills I struck hares and rabbits out of the Game list—in short, I proposed that they should be regarded as no better than vermin. This was often represented to me as the weak point of the Bill, and it was alleged that it would encourage poaching and lead to the extermination of the game, both ground and feathered. In the Committee not a few of the witnesses bore evidence to this effect, and many who did me the honour to vote for the second reading of the Bill in 1874 gave me to understand that they did not approve of that clause of the Bill. I found that with the present state of public opinion it would not be possible to pass such a clause. Having respect, then, to these opinions, and without any change in my own, I have modified the clause thus far—giving the tenant the full right to kill hares and rabbits on his farm, and removing all legal obstructions to his exercising this right, but maintaining the laws of trespass in pursuit of these animals against the general public. The clause for recovery of damages is very simple. A tenant feeling himself aggrieved that the damage done to his crops has exceeded the sum mentioned in the lease, intimates the same to the landlord. If the landlord agrees with the tenant to appoint arbiters to value the damages, the question may be said to be settled; but if he does not, an application is made to the sheriff, who forthwith appoints arbiters. The report of the arbiters being approved of by the sheriff, the sheriff delivers his judgment, which shall be final. In the event of its being found that the damage done to any one crop is less than the sum in the lease, and that there is no probability of damage being done to any other crop in the same year, the sheriff shall refuse the claim, and find the lessee liable in expenses; but if there is the probability of damage to other crops of that year, the sheriff shall postpone his judgment till all the crop is raised or reaped. If the whole damage exceeds the sum stated in the case, the sheriff shall certify the amount of such excess, and find the lessor liable in expenses. In proposing that the jurisdiction should be transferred from the justices to the sheriffs, I mean no reflection on the former, but merely that there should be greater confidence in the administration of justice. It cannot be denied that the man accused of being in pursuit of game, when brought before a bench of justices, is suspicious that the judgment of those who are to try him will be biased against him, and that he will not have fair play, as they are all more or less game preservers; and it may be that at some time he was charged with trespassing in pursuit of game on the land of one or more of the gentlemen who are to try him. The Legislature has always been most careful that the administration of justice shall not suffer in the opinion of the people from the slightest suspicion of self-interest in any of the judges influencing his judgment. Hence it is that a baker is not allowed to act as a justice under the Bread Act, or a brewer or distiller or retailer of exciseable liquors under the Licensing Act, or an occupier, or father, son, or brother of an occupier under the Factory Act, or a coal master or tenant of coal works under the Mine Acts, or a master in any particular trade or manufacture under the Combination Act. The last provision of the Bill to which I shall call direct attention is, that no person shall be prosecuted more than once under the Game Acts for the same offence. At present a person being in pursuit or unlawfully in possession of game may be prosecuted for being in pursuit of game during the day or night, as the case may be. If the trespass is in close time he may be prosecuted by 13 *Geo.* III. c. 54, and then he may be prosecuted under the Poaching Prevention Act for unlawfully having game in his possession. He is at the same time also open to prosecution under the Game Qualification Acts, 1621, and he may also be prosecuted for killing game without having a game certificate; so that he may be prosecuted four times for the same offence. I am not going to mention the Gun Licensing Act, but it is a fact that they also prosecute a man for killing game without a gun licence. These are the main provisions of the Bill, and I trust I have explained them to the full satisfaction of the House. I think I have done so, and in moving the second reading I do entreat the House not to allow all their labours to go for nothing, but I ask them to assist Scotch Members in the passing of such a measure as will be creditable to them, and will be a reality and not a shadow. I beg to move the second reading of the Bill.

SIR WILLIAM STIRLING MAXWELL, in seconding the Motion, said, that his hon. Friend the Member for Linlithgowshire had addressed the House with more than his usual ability, and he hoped that the Bill which was drawn with his hon. Friend's usual skill and moderation, would commend itself to the approval of the majority of the House. For himself, he thought it perhaps the best Bill that had been introduced on the subject since he had had the honour of a seat in that House. It was fair to the landlord, and to the tenant; and also to the ratepayer, whose interests had not hitherto been sufficiently considered on this question. There were some provisions in the Bill to which he thought exception might be taken, but there were none that could not be easily met in Committee. He hoped that the closing words of his hon. Friend's speech would produce the effect they ought to produce upon the House, for each and everyone could not expect to have his own way in this matter. There could be no doubt there was a growing feeling in Parliament and the country that it was wrong and intolerable that the serious and costly business of one class should be injuriously affected by the mere amusement of another. That was a feeling in which most men would agree; and that a grievance did exist in Scotland, owing to the over-preservation of game, no one would deny. It was now upwards of a quarter of a century since the question first came prominently before the House. In all the General Elections in which he had taken part, and before he had a seat in the House, this question had engaged the attention of their constituents. The electors had generally demanded that the question should be dealt with. Candidates had always admitted the grievances, and always said they desired to redress them. The existence of a grievance had not only been proved before a Committee of that House, but it was not denied by any organ of public opinion, or by any public man whose opinion had any weight in the country. Still, in spite of this concurrence of opinion, Session after Session passed and nothing had been done. Sometimes, as the hon. Member had said, Game Bills rose in coveys: sometimes there had been only a solitary Bill; but in no case had any Bill become an Act. That was a very unsatisfactory state of things: and he could assure the House that when he appeared before his constituents and had to make that confession, he did so with feelings akin to shame. He begged, therefore, to call the attention of the Government to the subject—for he was quite certain it was a subject which, to be effectually dealt with, must either be dealt with by the Government itself, or by an hon. Member who was assured of the support of the Government. He hoped, however, that this Bill would receive the Government support. There was one fact, however, which told unfavourably for the success of the measure—that Petitions on the subject had for some reason or another almost ceased. Last year there was only one Petition, and so far as he knew, no Petition had yet been presented this Session in favour of the Bill. It was therefore open to any hon. Member to say that was sufficient to excuse the Government and the House for doing nothing, since it was evident that their constituents were contented that nothing should be done. No doubt that might be said; but he appealed to hon. Gentlemen on both sides of the House whether such a statement would fairly represent the feeling in Scotland. The best of the farmers in Scotland were not a petitioning class; they did not care to move and agitate; and that might be in part the reason why they did not petition. But he feared that the main cause of their silence was that they had ceased to hope for justice at the hands of the present House of Commons. He drew attention to the subject, not so much for the sake of hon. Members as in the hope that the farmers themselves might observe the natural effect which their silence would produce, and that they would, if they were satisfied with the Bill, petition in favour of it, or at all events take some means which would enable the House to know their opinions and their wishes. The Government had only once since they came into power expressed an opinion on the subject—namely in the year 1874; and he regretted to say that opinion was not in favour of legislation. He hoped that they had since been able to re-consider the question, and now saw their way to take another view. The right hon. Gentleman the Home Secretary was unfortunately not present—detained, no doubt, by the pressure of other public duties. Hon. Members who supported the Government side had observed with great pleasure the growing confidence of the country in the right hon. Gentleman. He had treated many public questions with great success; and he was sure he would add to the esteem with which he was regarded in Scotland, if he would take up this grievance of the farmers and settle it in a satisfactory manner. In his right hon. Friend the Lord Advocate the right hon. Gentleman would find a most judicious adviser, and one who well knew how great the grievance was, and how deep, in certain counties, the consequent discontent. He would beg most respectfully to press on the Government the importance of taking up this question with a view to its settlement. There were two points in particular with which that Bill dealt, and with which any Bill, to be satisfactory, must deal. The first was the giving some cheap and easy remedy for gaining damages before the Sheriff;

and the second was the transfer to the paid Justices of the power of dealing with poaching cases. Although other provisions of the Bill were highly valuable, and he should be sorry to part with them, yet if they could agree to pass only so much of it as dealt with those two important points, it would give great satisfaction to the country.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Lagan.*)

VISCOUNT MACDUFF said, that the subject before the House was one which had created a good deal of discussion and interest in Scotland, and he thought that the names on the back of the Bill were a proof that, as far as Scotland was cencerned, some alteration was necessary, and that a case had been made out for legislation. This miserable hare and rabbit controversy had assumed undue proportions in Scotland, and he must say he was most anxious to see it settled or some compromise effected. English Members ought not to look at propositions like the present as offshoots of those extreme views which were supposed to find a home in the hearts of the Scotch farmers; for the opinions of Scotchmen on both sides of the House were almost identical upon this question —at least so far as ground game were concerned—that even that curious compound the Scotch Conservative had not failed to call these interesting little animals to his aid. During most of their Scotch county elections the unedifying spectacle was to be seen of the would-be legislator appealing to the tenants' well-known view of game—just as if the first and foremost question in their political horizon was the existence of hares and rabbits. If only to get rid of such a humiliating spectacle, all should agree that the question should be settled once for all. Nor did he (Viscount Macduff) see that the difficulties were insurmountable. The preservation of ground game in large quantities was plainly incompatible with a high state of cultivation. Whatever might be the case in England, in the northern part of the island neither the climate nor the soil was favourable to the farmer; and if by ceaseless toil and unstinted application of capital he had managed to win over to agriculture tracts of land which, after all, were not so long ago barren, it was a perfect mockery to suppose that he could look on unmoved while his choicest crops were being devoured, or to suppose that he could be compensated by a few pounds for the havoc which had been created. He thought, then, that on every ground this was a question which ought to be settled as soon as possible. But did the Bill before the House settle it? If he could see within its four corners a solution of the problem, he should hail it with satisfaction; but he confessed he had his misgivings as to its efficiency. His hon. Friend the Member for Linlithgowshire had always associated himself with the question, and his opinion upon it—and indeed upon all agricultnral questions — commanded that respect which, if he might be allowed to say so, it so eminently deserved. But he feared that in the present Bill his hon. Friend would hardly attain the object he had in view. At a later stage, perhaps, it might be sufficiently amended; but he felt bound to say that he did not think it altogether a measure which met the occasion. He had been told that there was a sacred principle which must on no account be violated, and that this Bill went at least as far as it was safe to go without invading the well-guarded territory of freedom of contract. He believed that he (Viscount Macduff) was as jealous as most people of any unnecessary interference with freedom of contract, or any other freedom; but he utterly and entirely failed to see how any legislation was possible on the subject of the Game Laws in the interest of the tenant without in some slight way interfering with freedom of contract. He could quite understand the views of those hon. Gentlemen who thought that the Game Laws should be quite swept away; he could also perfectly understand the views of those who preferred to treat this matter by leaving it alone; but what he could not understand was the argument of those who admitted the necessity of legislation and yet thought that a Bill such as this was all that the case required. He gathered from his hon. Friend's (Mr. M'Lagan's) remarks that he thought to attain his object without interference with freedom of contract. But what did the Bill say? Clause 4 said that a landlord was not to be at liberty to contract with the tenant for a reservation of the game to himself unless he, at the same time, agreed to limit the amount of game damage which the tenant was to submit to without compensation, and unless he stated it positively in the lease. Indeed, he was to be assessed upon the sum which he thus named. This, he ventured to say, was a most distinct interference with freedom of contract. It must be clear that if a landlord was unable to reserve a single head of game unless he put a price upon it, his power of making an agreement with his tenant was no longer unfettered, his freedom of contract no longer complete. His object, however, was not to find fault with his hon. Friend for interfering with so sacred a principle, but to point out that his Bill, while it did not avoid interfering with freedom of contract, was not likely to attain the great object of settling this question, which alone could make any such interference justifiable. For his own part, he feared this was not a question to be settled by nicely-adjusted scales of compensation for damages done to crops beyond certain stipulated sums. He believed firmly that legislation, to be effectual, must rest on broader lines. He believed that no legislation could be effectual which did not separate clearly and treat differently the two essentially different kinds of game; securing to the occupier by statute a joint right with the owner to the ground game, and leaving the winged game to the discretion of the contracting parties. He failed to see any object in legislation which failed to do that. He was not without some practical experience of an arrangement of the sort, and he had always found that while it gave satisfaction to every fair claim, both of landlord and tenant, it gave to the tenant that incentive to high cultivation which had produced such admirable results in Scotland. This Bill sought to attain its object by a scheme of compensation. He (Viscount Macduff) did not think the idea of compensation was one which would commend itself to the farmer. The very idea of recovering compensation, with its necessary following of notices in writing, references to arbiters, reports of valuators, and judgments of Sheriffs, seemed to him to open the door to endless litigation—which, after all, was not a very cheery prospect for the landlord—and was it to be supposed that the tenant who, after all this trouble, succeeded in wringing a few pounds of compensation from his landlord, would be satisfied for his devastated crops and encouraged to sow them again? He quite agreed with his hon. Friend (Mr. M'Lagan) that a valuable stipulation was introduced into the Bill by transferring, in Clause 12, the jurisdiction in game cases from the justices of the peace to the sheriff; and he was quite sure no one would hail the change with greater satisfaction than the justices themselves, who would be only too glad to be relieved from those disagreeable and invidious duties. He would not take up the time of the House by going into details. He should certainly vote for the second reading of the Bill, however insufficient he might deem it as a final measure, because he sincerely desired that some change should take place. He deplored the prominence the question had assumed in a great many parts of Scotland. It was one which had been played with on both sides, and general expressions had been used with regard to it which might mean nothing or a great deal; and these general expressions had worked upon the mind of the farmer, and led him to expect what hon. Members in this House did not intend to propose. He hoped, however, that that discussion might pave the way for some settlement or compromise which would rid them permanently of that vexed question. When that should have been done, higher questions than hares and rabbits would take their place in Scotch county elections, and that miserable bone of contention would be for ever buried.

Mr. ORR-EWING said, he had listened with great regret to the speech which had just been delivered by the noble Lord opposite (Viscount Macduff), for he thought speeches of the kind had prevented the question from being settled before that time. Such speeches held out to the tenant-farmers of Scotland a false hope of an extreme measure such as had been indicated by the noble Lord, but which he himself must know perfectly well was not likely to be passed by that House in the present or any other Parliament. Freedom of contract was so sacred a matter that it ought not to be interfered with unless there was a far stronger argument against it than could be shown in any grievance attaching to the Game Laws of Scotland. He would like to ask the noble Lord whether, even if they had a Bill on the lines which he had indicated, they could prevent landlords and tenants from entering into agreements that would be as complete as agreements were at present? It was impossible for Parliament to tie the hands of the parties, because they could make penalties or conditions by contract which no law could possibly interfere with. Whether the noble Lord intended his speech to be of use at future elections he did not say, but it was a pity that a noble Lord holding so high a position should have made a speech injurious to the settlement of the question. It was a pity that the noble Lord should have imported into the discussion of a temperate Bill that bitterness which he certainly did not expect from him. The noble Lord spoke as if hon. Members sitting on his side of the House were the only parties who desired to settle the question. That he begged entirely to deny. Some of the greatest game preservers in Scotland belonged to that side of the House, and they on this side were as anxious as hon. Members opposite to have the question set at rest. More than that, if the noble Lord's Party were so desirous to relieve the tenants from this grievance, to change the existing law and to give the ground game to the tenants, why did not the late Government settle the question when it could command a majority of 120, and when consequently it had the power to settle any question which it might have chosen to bring before the country? The present Bill was an attempt on the part of the hon. Member for Linlithgow, with the support of the great majority of hon. Members from Scotland, to remedy a grievance which the tenant-farmers of Scotland had long felt. It was a grievance, also, which had been admitted by the House, and certainly by hon. Members for Scotland, for the Bill before the House, he might observe, was purely a Scotch Bill. Moreover, it was a moderate Bill. Almost every year since he came into Parliament Bills on the subject had been introduced by private Members, but all those measures were extreme in their principle, interfering almost universally with freedom of contract. Those Bills were never palatable to the House, and they were thrown out by large majorities of hon. Members on both sides of the House. He thought it was strange that notwithstanding the general admission of the grievance, no Government had ever attempted to grapple with it. He thought it was the duty of a Government when a grievance was generally admitted to bring in a measure, for it was only by a Government measure, or a measure supported by the Government—as he hoped this would be—that the question could be settled. The only objection urged against the present Bill was that it interfered with freedom of contract. Now, for his part, he could not see that it did so. There was no doubt that it indicated a form of lease in order to enable the tenant to make a claim for any damages which might accrue, but it did not state the amount of such damage. That was left to be settled by the tenant and the landlord. The present Bill did not indicate any amount of money, but only the principle. They all knew that in Scotland, when game was in the hands of the proprietor, he studied the interests of the tenants. He saw the hon. Member for Kincardineshire shake his head, but he maintained that, as a rule, when the game was in the hands of the landlord, he did study the interests of the farmer. The great grievance arose when the landlord let his game—when he received, on the one hand, a high rent for his land, and, on the other, a high rent for his game. Under the Bill, when a tenant took a lease, it was arranged between him and the landlord what was the amount of damage done by game at that moment. If the landlord afterwards let his game, and thereby increased the damage perhaps four-fold, was it not right and proper that the tenant should receive compensation? The Bill would not be of any use without that clause, and he could not see that it injured any party. The proposal contained in the Bill of last year was a far greater interference with the freedom of contract. The present Bill had been introduced for Scotland alone, and he hoped hon. Members who did not belong to Scotland would not oppose it, as was too often the case in regard to Scotch measures, because they were afraid the same principle might be applied by legislation for England at a future day. At all events, let us be allowed to make the experiment, and after a few years, if it worked well, it might be wise for English Members to adopt a similar measure. He thought it hard that Bills affecting Scotland only, and which met with the approval of almost all Scotch Members, should be rejected by English Members merely because they were afraid lest the same legislation might be applied to them. Take the Hypothec Bill as an instance. Almost all the Scotch Members were in favour of it, but Englishmen came down to oppose it, because they thought it would interfere with the law of distraint. English Members desired to throw out this Bill which the Scotch Members were unanimously in favour of. The present Bill, indeed, might not be satisfactory to all parties. The noble Lord opposite thought it did not go far enough, while other hon. Members thought it went too far. It might have some defects which could be remedied in Committee, but on behalf of the tenant-farmers of Scotland he asked them not slightingly to reject the Bill on the second reading. Even if the Bill were to pass almost in its present state, it would give great relief to the tenant-farmers of Scotland. If the Bill passed every conscientious man would take good care to guard the interests of the tenant-farmer by adopting the clause of the Bill so as to prevent the tenant from being ruined by another person coming in to shoot the game.

Mr. J. W. BARCLAY said, the discussion, so far as it had proceeded, offered, in his opinion, the greatest encouragement to the reformers of the Game Laws they had yet received. The question of Game Law reform had ceased to be a matter of argument. No one had ventured to defend the system of Game Laws which gave annually 10,000 to 12,000 criminal convictions, besides many lawsuits which were not reported. He regretted very much that the Bill which the hon. Member for Linlithgowshire had introduced into the House, although bearing to a certain extent indirectly on that aspect of the Game Laws, made no very important provision for diminishing their severity and hardship. At the same time, he was willing to admit that some of the proposals in the Bill went to a certain extent in that direction. No one defended the system whereby the landlord, after letting his land for the production of crops by which the farmer was going to pay the rent which the landlord claimed, and also to maintain himself, further inserted within the provisions of his lease a condition whereby the landlord reserved for himself the right of consuming and destroying as much of that produce as he thought right and proper. It was exceedingly gratifying to him to hear the eloquence of the hon. Member for Dumbartonshire (Mr. Orr-Ewing) in denouncing the practice, which unfortunately prevailed to no small extent in Scotland; and although the hon. Member was right in saying that the practice was more prevalent in those cases in which the proprietor let his shooting to strangers, yet, unfortunately, some of the gravest and most obnoxious cases of game preserving occurred where landlords held the shootings in their own hands, and after letting the land at a rack-rent, endeavoured to obtain a second rent by selling the game which was produced at the expense of the farmer. He said that was no longer a question of argument. It had become simply one of pressure; and he was glad to find that, notwithstanding what they occasionally heard with regard to the feelings of the farmers of Scotland—he spoke of the farmers of Scotland because that was a Scotch Bill—he had no doubt the English farmers would by-and-by awake and put the same pressure on their Representatives—he was glad to find that the pressure exercised by the farmers was having its effect not only on that side of the House, where it was much wanted, but also on the other side of the House. They found that the Bill was supported by Gentlemen belonging to the Conservative party, and that was certainly a great advance on the position which they held a few years ago. He congratulated the hon. Member for Linlithgowshire on the progress he was making on the question. He had heard him previously in connection with Game Bills protesting most gravely and earnestly against any interference with the freedom of contract, and he had heard hon. Members on the other side taking up the same ground. He was glad to find that familiarity seemed to have partially reconciled hon. Members to the bugbear of freedom of contract on questions affecting land, and that their experience in connection with merchant shipping and other questions had led them to view the matter with more favour. The supporters of the Bill had given up the position that there was something sacred in regard to contracts affecting land, which removed them from the principles which were applicable to all other transactions. He was rather surprised to find that any hon. Member should deny that the Bill interfered with freedom of contract. There were three clauses in it which interfered with that principle in the most direct manner. In the first place, it declared that the amount of damage should be in every contract specified, and the landlord and tenant were not to be allowed to make such a contract or arrangement as they thought proper. It was specially provided that every contract should specify the amount of damage in excess of which the tenant was to be entitled to compensation for injury done to his crops. Surely that was a specification in regard to contract which no one could have the slightest doubt interfered with freedom of contract. Some persons seemed to think that in order to interfere with freedom of contract you must specify the prices or rates at which exchange of values between members of the community were to take place. Parliament had not in any case fixed prices or rates. It had simply interfered to lay down principles or to overrule practices which were on the face of them unjust. The contention with respect to the preservation of hares and rabbits was that they formed a subject on which it was not possible to contract. No one could determine the amount of damage which could accrue to a tenant from their preservation, and therefore it was an indeterminate contract, which the law should not be called upon to enforce. He believed that principle had been determined in analogous cases in England. No doubt, the hon. Member for Linlithgowshire had endeavoured to get over the difficulty by specifying the amount of damage which the landlord had caused; but, although he did not think that met the difficulty, he was not disposed on the present occasion to criticize the Bill. He had heard with great satisfaction the able and eloquent speech of the noble Lord the Member for Elgin (Viscount Macduff), and with the strictures which he had made upon the Bill he entirely and fully agreed. The 4th clause provided that, independent of any contract which the landlord might make, and notwithstanding any promises the tenant made to the landlord, the tenant should be entitled to compensation in cases where the damage exceeded the sum stipulated in the lease. The hon. Member for Linlithgowshire used to urge as a strong objection to giving the tenant the inalienable right to hares and rabbits, that it would be defeated by an understanding between the landlord and tenant when bargaining about the farm. But it appeared to him that the same objection might be offered to the proposition the hon. Member now made. A nominal sum might be put into the lease of £5, £10, or £15; but an understanding might be come to that, although the damage far exceeded the amount named, no claim would be made. He would be on his honour, and therefore the same objection which the hon. Member had taken to the inalienable right equally applied to this proposition. The third point was that the landlord should not be allowed to obtain any interdict against the tenant for violating his contract. There were two ways of interfering with freedom of contract. The one was to declare that any attempt at contract or bargain of the nature prescribed should be illegal and of no effect. The other was by declaring that if such a contract was made the law would not enforce it. And that was the proposal of the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon). The proposal of the hon. Member was that the landlord should be deprived of one of his remedies at law for enforcing a contract. They now asked Parliament to interfere in the making of the bargain, and by presumption they inferred that the bargain made as prescribed would be just; but if it was just he held that the landlord ought to have the full remedies provided for him at common law. The principal objection to the Bill was said to be its interference with contract, and that was the main reason why he should give it his support. There was no doubt that the bringing of these cases before the sheriff would be of great advantage. Panegyrics were often delivered in that House upon the justices of the peace; but there were many cases in which great injustice was done to the men who were brought before them for breach of the Game Laws—an injustice which was not only felt by the parties themselves, but apprehended by the general mass of the public. He said generally in respect of the Bill that in so far as it interfered with freedom of contract it was a valuable Bill; and beyond that he did not think it would be productive of much result. To the transference of the right of game from the landlord to the tenant he would be inclined to attach more importance, if it were not for the example of England; but they all knew that though it was the law in England it had not had practical effect, because in every case the game was reserved. He regretted that when the hon. Member for Linlithgowshire was legislating on the question, and was determined to interfere with contract, he did not go a step farther and deal with the question in a more simple and conclusive manner. On behalf of the farmers, he must say that they could not recognize compensation for damages as a settlement of the game question for two reasons. In the first place, the tenant knew that any sum he would get would not really compensate him for the loss he had sustained, if he had received serious injury, and he was sure in that the hon. Member himself would agree. In the second place, they did not wish to quarrel with their landlords, as they would have to do if they were compelled to claim compensation under the Bill. ["Hear, hear!"] He could assure the House that the farmers were anxious to avoid quarrelling with their landlords, but if, under the Bill, they were to claim compensation, they would certainly be involved in many disputes. If the landlord was disposed to allow compensation he could do so voluntarily without an Act of Parliament; and if there was any difficulty in regard to the amount of damage it could be referred arbiters, in the same way as proposed in the measure, without having recourse to a lawsuit. He should vote for the Bill, not because it was a settlement of the question, but because it was so far satisfactory to those who had been long labouring to promote reform on this subject.

Sir WILLIAM CUNINGHAME said, that although he represented a borough and not an agricultural constituency, and had therefore no personal object to serve, yet as there were one or two objections to the Bill which had not yet been alluded to, which he should like to point out, he hoped he might be allowed to say a few words. He was deeply impressed with the desirability and expediency of endeavouring to improve the position of the tenant-farmers of Scotland in this matter of game, he considered that in many respects they were very unfortunately placed, and that the unfortunate position in which they stood injuriously affected not only themselves, but also the proprietors of land and the public generally. He therefore approached any Bill that was intended to deal with this important national question in a very friendly spirit. He fully recognized all that had been said of the extremely moderate and fair intentions of his hon. Friend the Member for Linlithgowshire, who had brought forward the measure, and he would say further, that the Bill itself was very moderate and fair, and if it could be carried out on the plan which he wished should be followed, it would, to a very great extent, cure the evil that existed. The Bill itself, up to a certain point, was extremely fair, moderate, reasonable, and just, and he believed it to be founded upon the true principle that ought always to be followed in making arrangements as to game between proprietors and tenants—namely, that the annual damage estimated as done by the game should be put down in writing, and that the tenant should be entitled to compensation for any damage that was done beyond that estimate. The Bill transferred the property of the game from the lessor to the lessee. It said that the lessor was not to be entitled to reserve to himself the game unless, under the third sub-section of the 4th clause, the amount of damage agreed upon as done annually to the crop by game was set forth in the lease. To those proposals he saw no objection. He quite agreed with those who could not see in this third sub-section any interference with freedom of contract. If a proprietor, under the 6th clause, wished to reserve entirely to himself the game, and to relieve himself from all liability to claims for damage on the part of the tenant, the power was left in his hands; he had only to place the estimated damage at so high a point that the tenant could under no circumstances have any claim. The two parties were left to make any contract they pleased. The Bill did not interfere with freedom of contract, but what it did was this, under the last paragraph of the clause it put a penalty upon an extremely high valuation of the damage, and no doubt the object of the hon. Member in making that proposal was to prevent the landlord defeating or evading the object of the Bill. This brought him to the point to which he rose to draw attention, the latter part of the sub-section, which stipulated that the lessor should be returned as the proprietor of game at a rent equal to the sum mentioned in the lease, on which he should be assessed for rates and taxes. He (Sir William Cuninghame) objected to that on two grounds. In the first place, it was obvious that the lessor, to save himself from possible legal difficulties with unreasonable and vexatious tenants, would have to value the sporting right which he reserved, at a much higher sum than it was worth; and in the second place, that proprietors of properties of equal value would be unequally rated. With regard to the first objection, and as an instance of the hardship of the case, he had received a letter from an experienced factor in Scotland, who managed an estate on which the game was let at the sum of £50, or about 3½*d.* an acre. One hare or rabbit getting into an oat-field might do damage in a single night to the extent of 3*s.* or 4*s.*; now, as an estimate of the damage that might be done by game, that sum 3½*d.* was simply absurd. To save himself from the damage which in such a case he would have to pay, the landlord would have to value the amount of damage done to crops at a very much higher figure. In the opinion of his correspondent the proprietor of an arable farm would have to put the estimate of damages at 13*s.* or 14*s.* an acre, being in that case rated on a valuation of over 40 times the value of his sporting rights. As to his second objection to this rating part of the sub-section —namely, that proprietors of properties of equal value would under it be rated at different amounts. A proprietor of sporting rights living in a hilly country, where there were few turnips and little corn to be damaged by hares and rabbits, might be in a position to rate his damages as nothing, or next to nothing, and he would be put down in the valuation roll at a very small amount. But another proprietor in a different locality, possibly surrounded by neighbours who preserved ground game, and perhaps wishing to preserve a reasonable stock himself, would be obliged to rate the damage done to crops at a very high figure. It was no answer to say that the proprietor in each case valued his own property—because practically he did not value it. The valuation was fixed by his position. He did not consider that the other objections which had been urged against the Bill were tenable; and he entirely approved of the transfer of jurisdiction in game cases from the justices to the sheriffs. He had such serious objections to the sub-section of Clause 4, to which he had referred, and believed it would act so injuriously in many respects and so unfairly to landed proprietors, that, if he thought it could not be amended, or would not be withdrawn, he should vote against the Bill; but he thought he might be allowed to treat it as a matter of detail, and that it would be discussed in Committee, and altered in a manner consistent with justice. As he approved thoroughly of the principles of the Bill, he should vote for the second reading; and hoped the Government would allow it to go to a second reading, and that they would give the benefit of their assistance in Committee in altering any part of it which might be considered objectionable.

SIR EDWARD COLEBROOKE said, he heartily congratulated his hon. Friend the Member for Linlithgowshire that no objections had been taken to his Bill except on matters of detail. With regard to the remarks of the hon. Baronet who had just sat down, some he thought were founded upon an exaggerated apprehension of the effect of the valuation clause. If the object of the Bill was to introduce a new Valuation Act, with the view to put the valuation of game upon a different footing, there might be some objection as to the inequality of its operation; but this clause was introduced as a security, and he thought an important security, for the operation of the clause which was one of the main purposes of the Bill. Nor did he think it would be right to object to the principle of the clause because it might act with a certain inequality in respect of pasture land and arable land. But, to his mind, there was a more forcible objection to the Bill— whether it went far enough for a settlement of the question. If the Bill was so weak as some hon. Gentlemen—especially the noble Lord (Viscount Macduff)—had urged, there was no use in going further and wasting the time of the House in passing a measure which would not have any practical operation at all. He regretted that his hon. Friend had not had courage enough to face the question of hares and rabbits. He had long entertained the hope that the House might see its way to legislate in the direction of excepting them from the operation of the Game Laws and give tenants a direct right to them—especially in the case of rabbits, which he regarded as mere vermin. This would be not only in the interest of the tenants, but of the landlords also. He thought landlords sometimes might require some protection against their keepers. Rabbits were frequently kept up to an injurious extent that the keepers might make a profit of them. He believed, however, that it was hopeless in the present Parliament to deal with the question of ground game. He was not frightened by the argument that the Bill interfered with freedom of contract. What those who wished for any improvement of the law contended was, that the abuses which had arisen from freedom of contract should be checked. All were agreed that shooting in moderation was not merely unobjectionable to the public, but to the tenant-farmers. It was the abuse of the thing that they wanted to remedy. Then came the question—How were they to define excessive preservation? Lord Moncreiff, when Lord Advocate, made a proposition that the amount of damage might be assessed at any one time—either at the beginning of the lease or upon the demand of the tenant; and that for anything beyond that he should have a right to compensation. That was a practical proposal, and one deserving of consideration. He thought that the point raised by the hon. Member for Forfarshire (Mr. J. W. Barclay) would be fatal to any Bill that could be introduced. No doubt there was danger in all our legislation that it might be superseded by the unwillingness of the tenant to give offence to his landlord; but he did not think they should be deterred from legislating on account of those fears. In his opinion the present proposal was better than that of Lord Moncreiff. It proceeded very much upon the same principle which Parliament had acted upon in enforcing the load-line upon ships. There was a great difficulty in determining what was a proper load-line, and the principle adopted was that the owner of a ship should fix his own load-line. This measure proposed that there should be a load-line for tenants with regard to game. There was, no doubt, danger that the load-line would be marked too high; but then there came in the provision of security—namely, that of the liability to be assessed. He thought the Bill afforded a fair prospect of security. The Bill was one well worthy of the consideration of the House. He had great hopes that it would act well, and he trusted that at all events the House would assent to the second reading, and consider in Committee any objections to matters of detail.

Sir ALEXANDER GORDON said, in his opinion the Bill would be inoperative for the attainment of the objects the hon. Member who proposed it had in view. His object was the same as his own—that of relieving the tenant-farmers of Scotland from the grievance from which they now suffered, so far as caused by hares and rabbits. The hon. Member (Mr. M'Lagan) had frankly stated that he considered his Bill to be an interference with the principle of freedom of contract for which hon. Members on this side of the House had so often contended for, and with good reason. The hon. Member for Dumbartonshire (Mr. Orr-Ewing) was, he thought, rather too severe upon the noble Lord who spoke from the other side of the House, when he alluded to his speech as being made with reference to the hustings. The course which the noble Lord the Member for Elginshire advocated was one which he practically carried out himself, and his object was to enact by law that which he had found by practice to be a beneficial arrangement between landlord and tenant. As to there being no Petitions and not much anxiety expressed by the tenant-farmers in Scotland for a measure of this kind, they looked to the Government to bring forward a measure that would settle the question finally. The late Government in two successive years, 1870-71, brought in Bills, and he believed the present Government had intimated a wish to take up the question. He ventured to think the Bill now before the House would not fulfil the expectations of the country or of the hon. Member himself. In Clause 4 it professed to give all that they wished, but the next two lines destroyed that by introducing the words "unless reserved." The effect of the Bill would be that every landlord in Scotland must reserve the game on his property, if he wished to shoot either a hare or a partridge during the whole 19 years of the lease without asking his tenant's permission. If he did not put in that reservation the tenant would have the sole right, and the landlord could not follow a pheasant out of his own cover into an adjoining turnip field without the tenant's permission. He thought that was not a state of things that the landlords were prepared to accept. There was another objection to the Bill. It was the custom of many liberal landlords to give their tenants free permission to shoot hares and rabbits, reserving to themselves the winged game. Under this Bill a landlord wishing to continue that arrangement must of necessity put in his lease the amount of damage to be done by the hares and rabbits which he gave his tenants permission to kill. If he did not he could not preserve the winged game. The result would be that his liberality would cause him to be taxed to the extent of the amount of damage that was estimated as likely to be done by his game. If he put in a nominal amount of damage, say 1*s*., in order that his tenants might have the free permission they had hitherto enjoyed, the result would be that every one of his tenants had a legal document in his possession by which they could sue him for any damage exceeding that nominal amount; and in large properties—some of them having not less than 1,100 tenants—that would be a most inconvenient power to place in the hands of the tenants. Another clause said that the lessee should be liable in damages for shooting contrary to his contract. The damage to the landlord in the case of a hare being shot would be the value of the hare; so that the landlord would have to sue his tenant for a few shillings in each case. The Bill was not complete, and if enacted in its present form would cause a great amount of litigation between landlord and tenant. It would also be most unjust to compel a landlord to pay for damage caused by game from the property of another landlord. Instead of diminishing the bad feeling which, he was sorry to say, existed in many parts of Scotland, the Bill would increase it tenfold. The objections to the Bill were, he thought, very important, and deserved the consideration of the House.

MR. FRASER-MACKINTOSH said, this question was one of particular importance to the Highlands; and to show that it was so, he might mention that in Inverness and Ross, with which he was immediately connected, the valuation of lands and heritages was last year about £600,000, and of this no less than £100,000 was derived from game rents alone. Fifty years ago those game rents did not exist; they were entirely the creation of modern times, and they had continued of late steadily to grow, giving an increased and increasing area of taxation. These were the direct advantages of the Game Laws; the indirect advantages were very great also. They had sportsmen going to the Highlands and spending large sums of money in our railways and steamers, and among our posting-masters and merchants. In fact, he believed that in Scotland alone, during the months of August, September, and October, a sum of not less than £1,000,000 was spent on or in connection with game. This, then, as he had said, was a question of great importance to Scotland, and especially to the Highlands. The Game Laws were attacked not only out-of-doors, but within the House—for instance directly, as by the hon. Member for Leicester (Mr. Taylor), also indirectly, but no less fatally, by the hon. Member for Forfarshire (Mr. J. W. Barclay); and connected as they were with the Highlands, and feeling very much interested in this question, they found they had a very good claim on the Government to deal with the entire subject. He was not going to say a grievance did not exist. A grievance undoubtedly did exist, as had been proved by the Committee appointed three years ago. Now, there were three points discussed before that Committee. The first was with regard to deer forests. No doubt farmers whose lands were bordered by deer forests had good reasons for complaining. The Committee reported in favour of fencing deer forests, and as a good deal of injury was done by deer, it was high time something should be done in the way of giving effect to that recommendation. The next complaint was in regard to the undue preservation of winged game. Whatever might be the real causes, there could be no doubt that one was due to that unfortunate system of sportsmen wishing to have great bags. It so happened that winged game increased to a very great extent, and the farmer had good reason to complain. This over-preservation of winged game was not only bad for the farmers, but it was bad for sport itself, being, as was almost universally admitted, one of the principal causes of disease among game. In regard to this matter, he thought that the farmers were entitled to more satisfactory and summary remedies than were at present available. He was quite opposed to giving tenants an inalienable, or even a concurrent right to game. He was quite satisfied that this concurrent right was nothing less than individual wrong; but he was quite willing that effectual and summary provision should be made for making up for the increase of winged game, and he thought the remedy suggested in the Bill would do very much towards satisfying the farmers. There only remained another point—a very important one—which gave rise to nine-tenths of the complaints in regard to game in Scotland. That was with regard to hares and rabbits. To most of true sportsmen that was a matter of indifference; but it was difficult to arrive at a satisfactory conclusion as to what to do. So far as he was concerned, he thought nothing short of this would do—namely, that they should give to the tenant the right on arable and low-lying pasture grounds to destroy hares and rabbits in the fullest and most unrestricted manner. It was impossible, in his opinion, to come to any other conclusion. He was against giving the tenant a concurrent right to shoot hares and rabbits everywhere, and his reason was this—that on most of the large farms in the Highlands, the arable and low pasture lands constituted only a very small portion, and if they were giving tenants a concurrent right to shoot everywhere, it would tend to the landlord being deprived of the right to let separately his shootings at all; for it would be impossible to keep the tenants from shooting game at the same time, and who, when challenged for being in the midst of grouse grounds, could answer that they were only shooting mountain hares. This question of game was one of great importance to the Highlands, and it was one that was growing up, and had a very beneficial effect by leading to the circulation of money and the relief of taxation; and his object was simply this—to press on the Government to take up this matter, and deal with it as a whole in the three directions he had indicated. He would support the Bill as being a step in the right direction; but it would not settle the question of the Game Laws in Scotland. It was said that it was in consequence of the neglect of Scottish business by the late Government that the supporters of the other side who were returned from Scotland were increased from six to twenty; and if the Government desired to show their gratitude to their Scottish Conservative supporters who in this matter were at one with their Liberal brethren, they would now, when matters were in a comparatively quiescent state, remove grievances which, if long delayed, would make matters hereafter not so easily settled.

Mr. CLARE READ said, he must apologize for entering upon this hitherto purely Scotch debate; but as he was the member of the Committee to which reference had been made, and who had moved that hares as well as rabbits should be taken out of the category of game, he felt bound to support the Bill. He must congratulate the hon. Member for Linlithgowshire (Mr. M'Lagan) on his semi-conversion in regard to the subject of non-interference with freedom of contract. The hon. Gentleman seemed now to have arrived at the conclusion that if they were to remedy the grievance by legislation, they must take from those who had the power their right to commit the grievance. He also congratulated the hon. Gentleman on letting fall from this Bill his friend the poacher. In previous years the hon. Gentleman had wished to aid the tenant-farmers through the poacher; but on the present occasion, he was glad to see, he did not propose to do so. He should vote for the Bill with much satisfaction; but there was another Bill to be submitted to the House on a future day, which he should still more cordially support, and for which he claimed the vote of the Under Secretary for the Home Department, who some years ago had introduced a measure based on the same principle. When, he might add, an hon. Friend of his argued against the interference of English Members in the question before the House, as affecting Scotland only, he felt disposed to remind him that it would be as well that on questions like the Burials Bill an hon. Gentleman who represented a Scotch constituency should not vote against the views of the majority of English Members and against his own Party.

MR. MUNTZ said, he should support the Bill because, although he could not consider it final, it was a step in the right direction. Now that the question had been so thoroughly considered, he had hopes, and he still entertained them, that the Government would bring forward a measure that would be a final settlement of this question. There was a good deal of nonsense talked about the Game Laws, but at the same time a very great grievance existed; for there could be no doubt that both in England and Scotland the farmers suffered heavy losses from the destruction committed by hares and rabbits, and it was certainly time that something should be done to protect them. The 4th clause of the Bill proposed, in effect, to assimilate the law of England and Scotland in respect of the rights of the occupier, giving to the occupier the right to the game; but, in practice, that was never carried out.

SIR WILLIAM EDMONSTONE said, that as the hon. Member for Linlithgowshire had introduced some obvious modifications into his present Bill, he was prepared to support the second reading. They had heard a great deal said about the damage done by hares and rabbits, and it sometimes seemed to be thought that Tory rabbits eat more than Whig rabbits. He did not mean to say that no evil was caused by rabbits, but he did say that more damage was done by rats than by either hares or rabbits. He believed the hon. Gentleman was willing to do all that was possible to meet the views of all parties, and under those circumstances would not oppose the second reading of his Bill.

GENERAL SIR GEORGE BALFOUR said, it was a misfortune for any country to have two important classes like the landowners and tenant-farmers in a position of antagonism such as they were in Scotland. This dissension being mainly owing to the unfair protection given to game preservers, he hoped, therefore, the Government would take up the question of a reform in the Protectionist Laws; and if they did not, he should give his support to the present Bill. He did not think the Bill was altogether sufficient to redress the grievance so reasonably urged by the farmers against the injury done to the crops by protected game, but it was a step in the right direction, and he would support it, trusting that it would give some peace and quiet to Scotland. He agreed with the hon. Member for Inverness (Mr. Mackintosh) that the great evil to be provided against was the over-preservation of winged game. The farmers in general were far from being unfavourable to landowners having that fair degree of sport in the field which made residence in Scotland enjoyable. It was the overdoing of the game preservation which excited farmers against all Game Laws. This evil was largely swelled by game preserves being rented to persons unconnected with the land, and by owners of lands keeping up great heads of game for sale, and which were reared on the crops of farmers. These crying evils ought to be stopped, and landlords who dealt in game should not escape the small licence levied on other dealers in game. No doubt there were defects in the Bill—for example, it took no account of the great damage which was done by game to farms adjoining lands belonging to other proprietors, and some remedy ought to be provided for this omission as well as for other defects. He would support the Bill, believing it would do some good; but it would be better to abolish the whole of the Game Laws than to allow the present heartburnings to continue.

SIR GRAHAM MONTGOMERY said, that the game question had agitated Scotland for many years past, and at election times had occasioned considerable difficulty. He believed, however, that the evil was rapidly curing itself. Anyone who was acquainted with shootings in Scotland 10 years ago would tell them the change that had taken place. They would not find one rabbit now to every 20 found 10 years ago. The hon. Member for East Aberdeenshire (Sir Alexander Gordon) said the question was a very disagreeable one in the North of Scotland. Speaking for the South he (Sir Graham Montgomery) could say that landowners had been for some time dealing in a more liberal spirit than formerly with their tenants in the matter of game preserving. As to the proposition to put the law on the same footing as in England, he did not think it would do much for the tenant; but so far as it assimilated the laws of the two countries, it was a step in the right direction. His main objection to the Bill was that it did not follow the recommendations of the Select Committee, presided over by the First Lord of the Admiralty. Several things which were in the Bill were not recommended by their Report, and especially the one embodied in the 4th clause: but the objections to that clause had been so freely discussed that it was unnecessary to say more. As to the question of compensation, the hon. Member for Forfar (Mr. J. W. Barclay) said the tenants were not in favour of compensation. In fact, they did not believe in compensation.

Mr. J. W. BARCLAY explained that what he intended to say was that the farmers would not accept the proposal in this Bill as to compensation as a settlement of the question.

Sir GRAHAM MONTGOMERY said, it had always appeared to him that some easy and simple mode of assessing the compensation to the tenant for the injury done by game, would be the best mode of settling the Game Law difficulty. That, he knew, was the opinion of Lord Moncreiff, who so long ably filled the office of Lord Advocate. He thought the clauses of the Bill which provided for damages and arbitration excellent. As to the provision that the jurisdiction in Game Law cases should be removed from the Justices to the Sheriffs, he was aware that the Scottish Chamber of Commerce made a strong point of that; but he could never see how that concerned the tenant-farmers very much; and so far as the poachers were concerned, he did not think they would care much whether their cases were tried by the Justices or the Sheriff: but so long as the Justices in England decided poaching cases, it would be something like a slur and a stigma on the Justices of Scotland if they were deprived of their jurisdiction. As to the Bill before the House, his vote would be determined by what he heard in reply. If the hon. Member (Mr. M'Lagan) was disposed to withdraw the clause affecting freedom of contract, or if he consented to refer his Bill to a Select Committee, he (Sir Graham Montgomery) proposed to give him his vote; but if he did not have some indications of the hon. Member's views in regard to those two matters, he should be obliged to oppose the second reading.

Mr. GOURLEY said, he entirely agreed with the preceding speakers, that it was high time that something should be done to remedy the evils inflicted by the Game Laws; but to his belief the only real solution of the question was to abolish those laws altogether. The abolition of cumulative penalties for game offences was very necessary; and however long the Game Laws existed there could be no difference of opinion as to the necessity of modifying the existing cumulative system of punishments. He thought the whole subject was well worth the attention of the the Home Secretary with a view to reform.

Mr. MARK STEWART said, that if the third section of the fourth clause restricting freedom of contract were withdrawn he thought the Bill might be accepted, for it contained several useful provisions. The proposal to transfer the jurisdiction in poaching cases from the Justices to the Sheriff was very judicious; for although beyond doubt the Justices were actuated by no other motive than to discharge their duties impartially, the people of Scotland considered the present system a grievance; and it would add much to the value of the tribunal in other respects if this invidious jurisdiction were withdrawn from it. The House had now been waiting for two years in the expectation that the Government might be induced to deal with the question, and when a Bill came before them of the moderate character of that of the hon. Member for Linlithgowshire, the House ought to take into consideration that it had been spared the trouble of finding a solution of the existing difficulties. His hon. Friend the Member for Peeblesshire (Sir Graham Montgomery) said that he did not altogether approve of this Bill, because it did not contain all the recommendations made by the Select Committee. Now, one reason why he (Mr. M. Stewart) approved the Bill was that it contained so many of those recommendations. He found that the Bill did attempt to assimilate the law of Scotland to that of England in giving the tenant *primâ facie* a right in the game. It also proposed to settle disputes by summary process; and by transferring the jurisdiction from the Justices of the Peace to the Sheriffs, who, he need hardly tell English Members, corresponded with County Court Judges in England. Again, it attempted to settle disputes as to compensation by arbitration. That was a very valuable provision. Now, although this could not be termed in any degree a complete Bill, yet it offered a solution of a great difficulty now felt by tenants who might be unwilling to oppose their landlords, and who yet felt their interests too deeply involved. They could now say that they had a claim sanctioned by Act of Parliament; and would settle it without litigation by the means provided by the Act. He hoped the Government would give the Bill of his hon. Friend their favourable consideration, at all events to the extent of giving it a second reading; and if there were any clauses distasteful to them, he had no doubt that with the majority at their back they would in Committee be able to amend them in any way they thought fit.

MR. RAMSAY said, in his opinion, the question of the Game Laws was one of such importance that he thought it could only be properly dealt with by Her Majesty's Ministers, and he concurred, therefore, in appealing to the right hon. Gentlemen on the Treasury bench to adopt the suggestion that had come from their own side as well as from this, that they should take up the moderate Bill now under consideration and deal with this question. The excitement on the subject was very great in certain districts, and from his own experience, in the cultivation and management of land, he would say that the sooner it was settled the better. This Bill, he thought, would give satisfaction to the farmers of Scotland for a long time to come. But though he should support the Bill he must not be supposed to be pledged to all its details. He could not agree to the sub-sections attached to the 4th clause, inasmuch as he could not approve of anything which interfered with the freedom of contract. Then, while he thought it desirable that the laws of the two countries should be assimilated, where it could be done with reference to the circumstances of the people, their wishes, and their position, he did not think that it was desirable, when they were seeking to assimilate the laws of Scotland to those of England in relation to game, that they should introduce a system which was unknown in England, and engraft that upon their Scottish system. He hoped his hon. Friend the Member for Linlithgowshire would be willing to modify any of the sub-sections or other parts of the Bill in a way which did not militate against its general principles. He approved of the provision which conferred upon the tenant-farmers the right to kill hares and rabbits. As regarded sub-section 3 of Clause 4 he thought there would be difficulty in carrying it out, because it seemed in direct contravention of the provisions of the Valuation Act of Scotland. He heartily approved of the proposal that the jurisdiction in game cases should be transferred from the Justices of the Peace to Sheriffs; but in so saying he did not intend to throw the slightest slur upon the administration of justice by the Justices of the Peace. If the Bill had proposed to do nothing more than to assimilate the law of Scotland to the law of England, and to confer upon tenants the right to kill hares and rabbits on the land in their possession, and to transfer the jurisdiction from the Justices of the Peace to Sheriffs, he should say it would be a very useful measure, and he hoped Her Majesty's Ministers would assent to the second reading in order that it might be amended in Committee in those points which appeared to require consideration.

MR. STORER hoped that the Government might be induced to bring forward a comprehensive measure on the subject, which should apply equally to England as to Scotland. No one was more anxious than he that the farmers should have a cheap, easy, and effective remedy against any inordinate quantity of game which might exist on their farms; but he failed to see how the Bill of the hon. Member for Linlithgow would meet the case; because in numerous instances already it was the farmers themselves who, by agreeing to certain leases without stipulation as to the quantity of game that should be upon the land, put themselves out of any remedy in that particular. It was provided by the third sub-section of the 4th clause that there should be set forth in the lease that most invidious arrangement that the amount of damage agreed upon to be done only to the crops of the lessee should be exactly defined. Why, how was it possible that such a definition could be made, or if it were made, how could it possibly be adhered to? This, he contended, would lead to inevitable and constant disagreement between landlord and tenant. He saw a greater degree of common sense and justice between landlord and tenant in the Bill, which he understood was prepared by the noble Lord the Member for Elginshire (Viscount Macduff). As to the jurisdiction of Justices in poaching cases, it was well known that they never sat in cases in which they were themselves interested.

Mr. P. A. TAYLOR said, that being of opinion that the Game Laws were altogether bad, injurious, and unjust, and that there was no practical remedy for the evils arising from them except their entire abolition, he had felt some little difficulty in deciding whether he should vote for the Bill, or walk out of the House and give no vote at all. Under it the landlord and the tenant were to make some arrangement as to the basis of destruction of the people's food, which these wild animals should be allowed to destroy. He had, therefore, felt a difficulty about voting for the Bill, lest he should be thereby making himself an assenting party to a sort of immoral bargain. No doubt, the destruction of crops might be to some extent diminished under the Bill, which would also recognize that the House of Commons were alive to the importance of the question, and were willing to do some—though it might be infinitesimal—justice in regard to it. Then the occupier was to be allowed, under certain circumstances, to kill hares and rabbits without being liable to take out either gun or game licence. Well, what an amount of dishonesty and evasion that would give rise to! The occupier would not take out a game licence, but he would go upon the land and shoot anything that came within the level of his gun. This illustrated the sort of mischief they were sure to tumble into with small measures like the present. He supposed that they should hear from the Government during the debate what were their intentions with respect to the Game Laws. They had avowed their determination not to address themselves to measures of organic change, but to give their attention to measures of social interest. The Committee presided over by the right hon. Gentleman the present First Lord of the Admiralty had made a very elaborate Report, and the right hon. Gentleman had promised to bring in a Bill; but hitherto he had not done so. Could the House imagine any question of greater interest or importance to which they might have addressed themselves? There were two practical advantages, he frankly acknowledged, to be gained from the passing of the Bill; one was the putting an end to the injustice involved in cumulative penalties, and the other was the getting rid of the anomaly of the jurisdiction in these cases being given to the county magistracy. Hon. Gentlemen opposite asked what did it matter by whom a poacher was condemned? That was rather begging the question; it was hardly a principle recognized in the ordinary customs of English law, that in the same person should be the attributes of prosecutor, judge, and executioner. He had heard it said before that Justices never exercised jurisdiction in their own cases, and he was reminded of the words he once heard uttered in that House upon that point. Certainly they did not; they retired when their own case was brought before the bench, in the Christian hope that those they left behind them would deal with poachers on their land even as they themselves would deal with poachers on other men's land.

Lord ELCHO said, he came down to the House in the hope that the character of the Bill was such that he should be able cordially to support the second reading and assist in promoting a satisfactory settlement of this question as between landlord and tenant. He was under the impression that the principle of the Bill was the same as that embodied in a measure brought in some time ago by the late Lord Advocate—namely, the establishment in Scotland of a presumption in favour of the tenant in the matter of the possession of game, as it now was in England. That presumption was now in favour of the landlord, game being in Scotland the property of the landlord, while in England it was the property of the tenant. It was said that that would do nothing for the tenant. That he disputed. At present if a tenant in Scotland wanted to get any control over the game, he had to go to the landlord and endeavour to make the best bargain he could; whereas in England the case was the reverse—here the law recognized the occupier as the owner, and it was the landlord who by his agreement asked the tenant to give up a property which the law vested in him. The two things, therefore, were totally distinct, and if by law they were to make this change they would place the tenant in Scotland in a better position to make a bargain with his landlord, because he would then be placed in possession of a thing to be bargained for. [*A laugh.*] His hon. and learned Friend the Member for Oxford might sneer. He was very strong on these questions of contract, and he was "the real farmer's friend;" but when the Government of which he was a Member, with a majority of 120, which had revolutionized the Church in Ireland, and established extraordinary principles in dealing with land in that country, came to grapple with this question, all they found they could do with it was to give the tenants a greater power to contract; they also gave the tenant a speedy and cheap mode of obtaining redress when the landlord departed from his bargain. He maintained that when the Legislature had done those two things, it had done all it could fairly accomplish in the matter. But he found that that was not the principle of the Bill of his hon. Friend the Member for Linlithgow. His hon. Friend said that his Bill had three principles—namely, the transference of the jurisdiction from the Justices to the Sheriffs; the putting an end to cumulative penalties; and, lastly, providing a new mode of valuing the damage done by game. As regarded the first principle, it was based on the assumption that the Justices would not do justice if they had an interest in the property in question. That assumption, however, went a great deal further—it went to the length that no man ought to sit in judgment in cases where the property involved was of the character of property in which he was himself interested. Thus a Chief Justice ought not to try a man for stealing silver spoons, his Lordship being probably interested in that description of property. This question of an unpaid magistracy was a great question, which ought not to be dealt with in this way, but ought to be looked upon as a whole. If it were thought desirable to substitute for unpaid magistrates stipendiary magistrates, let that be done in every instance, and not confined to one portion of the Kingdom and to one particular class of cases. As regarded cumulative penalties on poaching, it was not the first time that his hon. Friend had appeared as "the poacher's friend." He observed that the Chancellor of the Exchequer was not present; but it was for him to say whether a man who could be punished under one description of offence was not to be punished for a breach of the Excise laws as well. Those were matters which might fairly be considered in Committee. But he now came to what he believed to be the real principle of the Bill, and that was interference with freedom of contract. By the 4th clause, 3rd section, it was the tenant and the landlord who were to decide between themselves what should be set down as the value of the game on the land, and that was to be deducted from the rent. Now, where two men wanted the same farm, the protection which that clause gave to the tenant was absolutely illusory. He would assume that the clause passed, and that the two Conservatives who supported this Bill, the hon. Members for Dumbartonshire and Stirlingshire, wanted a farm of his. They took one, and they deducted 1*s.* for the game over the whole farm. How were they to prevent that? The House in this matter was asked to take a step which would prove illusory, and afford no protection to the farmer, while it would be cutting at the root of a very great and sound principle. He confessed that, like St. Paul, he was born free, and he wished to die a free man. By that he meant that the great inheritance they had was that free Englishmen and full-grown sane men in their bargains with each other should not be treated as if they were children and interfered with by the State. This principle had been accepted by the State, which had made exceptions in the matter of contract—it watched over women and children, minors and lunatics; and in dealing with Merchant Shipping and in the Factory Acts the principle was extended still further to the protection of life and limb. But in ordinary dealings by contract in matters of property, whether it were in funds, shares, or any other description of property, the State had not as yet broken through that broad line of demarcation, and he hoped and trusted it never would. If there was one thing more than another which placed the present Government in power, it was their resolve to put their foot firmly down on this question and to say—"We will not have this State interference with freedom of contract." It was amusing to find two Conservative Members (Mr. Orr-Ewing and Sir William Edmonstone), one of whom had placed his name on the back of the Bill, trying to prove to their own consciences and to this House that the Bill did not propose to interfere with freedom of contract, or representing the interference as so small that they were like the prostitute who pleaded the smallness of her child. But this plea was torn from them by the hon. and gallant Member for Aberdeenshire (Sir Alexander Gordon) and the hon. Member for South Norfolk (Mr. Clare Read), who welcomed the Bill because they saw in it the principle for which they had so anxiously striven —namely, the interference of the State in matters of contract between landlord and tenants. One word on the general question of the Game Laws. Hon. Gentlemen urged that game destroyed the food of the people, and said that they intended to vote for this Bill. But when another Bill was before the House in relation to commons, those same Gentlemen said it was essential that those commons should be preserved. "We are independent," they urged, "of England for a supply of food for the people. We can import what food we want, and therefore can afford to devote these waste spaces to affording recreation to the people." He would leave those hon. Gentlemen to reconcile those two arguments. He remembered on a former occasion a late Member of the House (Mr. R. Dalglish), referring to the ground game question, saying to him in the Lobby, "It is all very well for you to talk, but we are not going to give up hare soup." No doubt the hare soup question was a very great question. Any hon. Gentleman who sat on the Committee on the subject of Game Laws knew that something like 30,000,000 of rabbits alone were consumed in this country every year for food, while a great quantity were imported; and besides concerning the food of the people, the subject was connected with their industry. The skins of hares and rabbits formed the staple of a great trade—they were worked up into silk hats; and he should not be surprised if the silk hats

of the hon. Gentlemen who sat around him were formed in a great measure of those skins. It was his intention to move the rejection of the Bill; but he wished to ask the hon. Member (Mr. M'Lagan) if he would withdraw the 3rd section of the 4th clause, which dealt with freedom of contract, if he (Lord Elcho) withdrew his Amendment. The question was a much larger one than was commonly supposed, and it was not desirable to break through the great principle of freedom of contract. By way of merely giving himself a *locus standi* in case of the hon. Member refusing his suggestion, he should move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Lord Elcho.*)

Sir ROBERT ANSTRUTHER said, he had not had the privilege of listening to his noble Friend for some time, and the last time when he had heard him was on a different occasion from the present. It was on an occasion when he appeared in the position with which he taunted his hon. and learned Friend the Member for Oxfordshire as "the farmer's Friend." Unless he was mistaken, it was only last year the noble Lord made a speech at Haddington—a most interesting speech—and his noble Friend then cautioned his audience against "lawyer-drawn leases"—and this was the hon. Gentleman who now said—"Beware of interfering with freedom of contract," because by perfect freedom of contract the landlord would be enabled to preserve as much game as he pleased.

Lord ELCHO said, he was sorry to interfere; but as his hon. Friend seemed about to base an argument on the point, he might be allowed to say that the statement was absolutely without foundation. It was quite true he (Lord Elcho) did make a speech, being in the chair at an agricultural dinner in his county. After showing what wonderful discoveries there had been in chemistry—after pointing out that, instead of the ordinary rotation in crops, it would be found that by trying land in a certain chemical way they could get additional crops of barley, he said the leases, as affected cultivated land, formed a matter for consideration.

Sir ROBERT ANSTRUTHER: Still it was evident that his noble Friend did not approve of lawyer-drawn leases.

Lord ELCHO: Not of their terms.

Sir ROBERT ANSTRUTHER was prepared to deal with the question of contract, and was not the least afraid to meet his noble Friend on that point. With respect to the Bill of the hon. Member for Linlithgow, he admitted there was a good deal of good in it. All those provisions to which his noble Friend had referred were good. The assimilation of the law of Scotland in this matter to that of England was good. The removal of the jurisdiction from the Magistrates to the Sheriffs was good; the simple method of compensation for damage done by game was good. The objection he had to the Bill was that it was so weak. It did not go far enough. To please the hon. Member for South Norfolk (Mr. Clare Read) it must have gone further. They had had some very curious statements made in the course of the debate by hon. Gentlemen whose names were on the back of the Bill. The hon. Baronet the Member for Lanarkshire said—"My only objection to the Bill is with reference to Section 3 of Clause 4." But that was the only part of the Bill which was worth a farthing, in his (Sir Robert Anstruther's) opinion.

Sir EDWARD COLEBROOKE: My speech was strongly in favour of the sub-section of Clause 4. I said it was the very back-bone of the Bill.

Sir ROBERT ANSTRUTHER: Well, that was still more satisfactory for his case, because his noble Friend opposite was afraid of the horrible consequences that were to ensue from the sub-section. But here was an hon. Member of great experience in landed estates who said—"By all means let us have the sub-section. It is the back-bone of the Bill." That was very satisfactory. The hon. Member was moderate in all his opinions, and was deserving of the confidence of the House. The name of the hon. Member for Perthshire (Sir William Stirling Maxwell) was also on the back of the Bill. He trusted that the Government would deal with the question and pass part of the Bill. He (Sir Robert Anstruther) would like to ask him what was the part of the Bill he would like to be passed, and what part dropped? Perhaps he would say, if he were in the House—"Pass all those parts of the Bill to which I have referred, but kindly drop out the sub-section of Clause 4." Why, that was the very kernel of the whole measure. It was now 10 minutes past 4, and not a sound had been uttered from the Treasury bench. He sincerely sympathized with hon. Gentlemen on the other side, because even now they did not know which way they were going to vote. He might go further, and express a great doubt if the Under Secretary of State for the Home Department knew what he was going to do. He did not refer to the Secretary of State; he always knew his own mind. But he had commiserated the Under Secretary for the last two hours and a-half—he was very sorry for him. But he supposed they would know his opinion in the course of a few minutes, and it was quite possible that he had been waiting to hear his (Sir Robert Anstruther's) speech. If his statement had the slightest effect on the hon. Gentleman's opinion he should feel proud. But in what a position did it place his hon. Friend who had brought in the Bill. He did not know up to this very moment whether the child of his affection was to be strangled or emasculated. As soon, however, as the right hon. Gentlemen opposite got their orders, they would know whether it was to be strangled or not. If it was strangled, he should be sorry for the Scotch Tories. They had made use of the question on the hustings, and had doubtless brought all the pressure they could to bear on the front bench, in the hope of getting rid, once for all, of the election difficulty. If the Bill were strangled, what would happen? They had demanded redress; they had kneeled to the Secretary of State. He felt for the hon. Member for Peeblesshire, who so plaintively alluded to the state of matters in Peeblesshire. His hon. Friend the Member for Dumbartonshire took exception to the remarks of the noble Viscount the Member for Elgin, because he had said that a Scotch Tory was a compound animal. If the Government had decided that the second reading should be allowed they had discreetly put up his noble Friend (Lord Elcho) to propose the Amendment. If his hon. Friend the Member for Linlithgow were so unwise as to accept the alternative of withdrawing the clause that related to freedom of contract, the Government would accept the Bill, and it would pass with its most valuable provisions left. What a position his hon. Friend (Mr. M'Lagan) would then be in! His noble Friend (Lord Elcho) talked about being a free man, and about St. Paul, to whom he compared himself, with, he must say, a little self-consciousness. There were few people who had a greater regard for his noble Friend than he (Sir Robert Anstruther) had. He had many most estimable qualities, he was an amiable gentleman whom nobody could help but esteem; but his warmest friend, if asked to give a description of him, would, he thought, have stopped short of St. Paul. If his noble Friend showed him that the parties contracting did so upon perfectly equal terms, and without doing injury to a third person who could not help himself, then he would sit down. The noble Lord drew pictures of the Scottish farmers being treated like lunatics, or minors, and so on. He (Sir Robert Anstruther) believed the state of the case in Scotland to be this. Under the law of hypothec the demand for farms was so unwholesomely stimulated that the farmer could not contract on equal terms with his landlord. Every hon. Member in that House knew that the law of hypothec gave the landlord an immense advantage in dealing with his tenant. Why? Because it allowed him to put a tenant on a farm, knowing that in the event of any failure of the tenant the landlord could protect himself, but all the other creditors must go to the wall. If the law of hypothec were abolished, then his noble Friend would be right. But did the contract entered into between those parties affect only themselves? There was the case of the hares and rabbits, reserved between the landlord and tenant, going through the fences, and destroying the crops of a farmer who had nothing to do with preservation at all. He should vote for the second reading, because he thought it in many respects a good Bill—his only complaint was that it did not go far enough—he said he had made out a case in which they might interfere with freedom of contract. The principle of interference with freedom of contract could not be so dangerous, because it had been put into a Bill by the Under Secretary, in whom he might say he had complete confidence. It was true that he had since gone from the Opposition to the Treasury Bench; but he did not think the hon. Gentleman was one to refuse when in power what he had promised when out in the cold. On the 19th February, 1872, the Bill was introduced, and it contained these words—

> "An occupier of land shall be subjected to any of the restrictions hereafter to be specified in any lease or any agreement to which he is party."

These had reference to allowing the land-land to shoot winged game and the shooting of animals out of season—

> "An occupier of land shall be entitled at all times to pursue, take, and kill hares and rabbits on such land without being liable to any forfeiture, action, suit, prosecution, or proceeding in any covenant, reservation, grant, or agreement with the owner, or with any other person to the contrary notwithstanding."

Then it could not be so very bad. It would be interesting to know the line which the Secretary of State would take. He would ask him to do something in the matter. He wished he would try to settle it in the interests of both landlord and tenant, to settle it upon equitable terms, and, if possible, to do it so that it should not be opened for many years.

Mr. GREENE begged to assure the hon. Member for Linlithgowshire that the farmers of England were strongly opposed to any interference with the freedom of contract. Any such interference would be most mischievous. The farmers of England were able to make their own contracts, and did not require to be treated like children. He did not see why the landlords and tenants should not be allowed to make their own contracts, for their interests were inseparable; and a landlord who allowed his tenant's crop to be injured by ground game was doing an injury to himself. Unless, therefore, the hon. Member consented to withdraw sub-section 3 of Clause 4, as suggested by the noble Lord the Member for Haddingtonshire, he hoped the Bill would be rejected.

Sir HENRY SELWIN-IBBETSON: I am certain the House will bear with me for a moment while I say one or two words, before I deal with the Bill, in reference to the amusing speech of my hon. Friend the Member for Fife (Sir

Robert Anstruther). The hon. Baronet has brought against me what might be interpreted, if I did not know his thoroughly good intention, as a grave charge. He wonders whether I am prepared to assert that, sitting upon this bench, I change my opinion as rapidly as some people he says change theirs. What are the real facts of the case? In 1869, 1870, 1871, and 1872 it seemed to be the fashion for hon. Members on both sides of the House to inundate the floor of the House with measures connected with the difficult question of the Game Laws. I, perhaps, as a young man, fancied I was wiser than I was, and I fancied I could contribute to the list of measures. I had long been convinced—and it is my conviction at the present moment—that this is a question which is not worth all the agitation and trouble and ill-will which are produced by it. I have long believed that if we could in any way deal with this question satisfactorily to the landlord and tenant, we should do much to promote agricultural welfare, and I was rash enough to suppose that that Bill of mine might have contributed to that result. But all these Bills met with the same fate. They were all—as perhaps they deserved—rejected by the House, and referred to a Select Committee which sat for two years. I believe not only my eyes, but the eyes of a great many of these amateur legislators on this subject, were very materially opened by the evidence given before the Committee. I am glad, therefore, of this opportunity to make my ample confession to the House that the evidence did convince me that my younger views on this question had, to that extent, been erroneous. I think the hon. Member for Linlithgowshire (Mr. M'Lagan) has deserved well of the House in regard to this measure by his evident desire to come to a satisfactory solution of the question. He shows that desire by giving up many of those notions—I will not say principles—which he had formed upon the question, and which he saw were antagonistic to the opinions of hon. Members on this side of the House. I will ask the House to consider whether we should practically be doing that which I believe we are all anxious to do—that is, to arrive at a practical settlement of the question—if we adopt this Bill as it has been presented to us. We heard in the course of the discussion the hon. Member for South Lanarkshire (Sir Edward Colebrooke) object to the Bill because it would not settle the question, and almost all the Members who got up in the early part of the debate stated that while they objected to the Bill as not going far enough, they would vote for the Bill because it was a step in the right direction.

SIR EDWARD COLEBROOKE explained that he did not say that the Bill would not settle the question, but that he should have had more confidence in it if it had gone further.

SIR HENRY SELWIN-IBBETSON: At any rate, there were many hon. Members who had said that the Bill as it stood was only a step in the right direction. I remember that argument was often used in olden times with regard to other measures, and I cannot think that it is a sound way of dealing with a great question like this by tampering with it in this way. Will the House think that the hon. Member for Forfarshire (Mr. J. W. Barclay) would accept this Bill as a solution of the question? We shall have, as soon as this Bill passes, a repetition of the Wild Animals Bill, and the hon. Member for Leicester (Mr. P. A. Taylor) will never be satisfied with any Bill that does not protect those whom he calls the people, but whom I call poachers. I do think there are objections to this Bill—to many parts of it—which, perhaps, have not been brought to the knowledge of the hon. Member who introduced it. It has been said in favour of the measure that it assimilates the law with regard to the property of game in Scotland to that which exists in England. But what would happen if this Bill passed? Why you would have in Scotland two distinct laws at the same time as to the property in game. On those farms which are let under any agreement from year to year you would have the game vested in the landlords as at present; whereas in regard to any land leased after the passing of this Bill, the game would be vested in the tenant. That is one objection which I see to this Bill. I am quite in accord with the hon. Member in wishing to see the law of England and Scotland assimilated; but I would like to see a more complete assimilation than is proposed in this

Bill. Now in regard to the 4th clause of this Bill, which has been so much objected to. Either the clause is utterly illusory, or it is a great interference with freedom of contract. A landlord may agree to let his farm at a certain agricultural rent, and set out the amount of damage—say at 1*s*.—which the tenant is to suffer by the preservation of game. He may at the same time make the tenant sign a stamped agreement that he will not proceed against his landlord for any further amount, and thus your Bill would be rendered utterly nugatory. It may be said that the Courts of Law would hold such an agreement to be invalid; but in that case you come on the horns of your dilemma, and must admit that the Bill would be a real interference with freedom of contract. There are other cases in which the object you have in view might under the Bill be easily evaded. I think that if we deal with matters of this sort—if we deal even as the 12th clause proposes to do with the transfer of jurisdiction from the county Magistrates to the Sheriffs—we ought only to do so after very great consideration. I am not prepared to say that the arguments in favour of such a change may not be very great. I know that before the Committee, to which I have already alluded, a great deal of evidence was given on the subject, and from my experience as a magistrate I must say I should be only too happy to see cases of this sort taken away from their jurisdiction. But if that is to be done it should be done generally, and we should not allow the magistrates of Scotland to suppose a slur was passed on them by depriving them of a jurisdiction which was still allowed to their brethren on the other side of the border. Beyond these things, I think it may be very fairly urged that this Bill is to a certain extent an interference with the rating law of Scotland, because under this Bill you would allow any landlord practically to set out his own rateable value. There is another point in this Bill which requires very great consideration, and that is the clause which proposes to do away with the Excise and gun licences so far as the tenants and the people they certify to be their employés are concerned. If the gun licences and game certificates are wrong in principle it may be a very good ground for altering the law; but to exempt only a few individuals from its operation would open the door to a great of evasion. I have shown that this Bill does interfere with freedom of contract, and that it possesses other defects; but, at the same time, there are points in the measure to which I give my own adhesion. Therefore, if the hon. Member would accept the challenge made to him by the noble Lord on this side of the House (Lord Elcho), and would withdraw the 3rd section of the 4th clause, I should not be prepared to oppose the second reading, on the understanding that the other clauses would have to be amended in Committee. But, on the whole, I think the hon. Member would best advance the interests he has in view by withdrawing the present Bill altogether.

Mr. M'LAGAN, in reply, said, he must remind the noble Lord the Member for Haddingtonshire (Lord Elcho), who to-day so strongly denounced interference with contract, that the Bill introduced three or four years ago—the Mines Regulation Bill—of which the noble Lord was a foster-father, went much further in the direction of interference with contract than the present Bill did. The noble Lord took the full-grown miners under his protection, and compelled the Legislature to make their contracts for them; but he neglected the poor tenants of Scotland, whose crops on which they depended were destroyed by the landlords' preservation of game. As he had said before, nobody was more opposed as a general principle to interference with freedom of contract than himself, and he maintained that there was only a semblance of such interference in the provisions of this Bill. If those who opposed his proposal on that head would undertake in Committee to propose some other effectual method of accomplishing the same end, he would withdraw the clause, but in the absence of any such undertaking he must go to a division. He regretted the Government were supporting the noble Lord, for anybody who had listened to the discussion must have been convinced that this was a Bill as to which there was little more than a difference as to some of the clauses, which could be readily arranged if the Bill were sent to a Committee. The right hon. Gentleman had stated that the Bill would alter the system of valuation in Scotland; but he assured him that it would leave it practically almost the same as at present.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 172; Noes 150: Majority 22.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *To-morrow*.

HOMICIDE LAW AMENDMENT BILL.

(*Sir Eardley Wilmot, Mr. Whitwell.*)

[BILL 75.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Eardley Wilmot.*)

THE ATTORNEY GENERAL said, there were many objections to the provisions of the measure, which was founded on the less preferable of two recommendations of the Commission on Capital Punishment. Instead of simplifying the law it appeared to him to complicate it and to render it more difficult for the Courts to administer. It divided the crime of murder into two classes—"offences of the first and second degrees." It defined murder of the first degree as "the unlawful killing of a human being by another, with deliberate intent to kill, and with malice aforethought;" but the 4th clause also declared it murder in the first degree "where death had been caused by the wilful act of any person when committing or attempting to commit any felony, or assaulting any peace officer or soldier in the lawful execution of his duty, or in attempting to rescue himself or another person from lawful custody." The consequence would be that much complication would arise from the question, what was "malice aforethought," and what was a "deliberate intent to kill." On the one hand, many acts of homicide, which were now murder, and which ought to be crimes of the first degree, would come under the second degree, because it might be impossible to prove "malice aforethought;" and, on the other hand, some offences would be murder which in the present state of the law were manslaughter only. What was required was to know what the crime was under the Act of Parliament, without having reference to the subtleties of text books. The definitions of the crime would be most difficult and perplexing. If, for instance, a man went out to shoot and steal a fowl, and in firing at it he missed the bird and accidentally killed a man who happened to be at the other side of the hedge—the Bill made that man liable to be tried for murder of the first degree, although he was innocent of all intention to kill the man. Again, where a constable took a drunken man into custody, and the man in the struggle injured the officer in such a way as to cause his death, the Bill made the offence murder, though the drunken man had no intention to commit murder, or to inflict any injury whatever. If a constable took a pickpocket into custody, and the pickpocket in his effort to escape injured the officer to such a degree that he lost his life, the Bill made it murder, although the poor wretch had no object but that of escaping. The only definition given of murder in the second degree was that it was not murder in the first degree. Murder in the first degree was punished with death; but the punishment for murder in the second degree were discretionary, varying from penal servitude for life to penal servitude for seven years. The Bill, in treating of infanticide, provided that the crime should be murder in the second degree if the act was committed at the time of the child's birth or within seven days after; if seven days had elapsed, it would be murder of the first degree. There was no class of murders so frequent as that of infants, and he saw no ground why the offence should not be treated as seriously as the murder of adults was treated. He could not see that there ought to be any difference between the deliberate murder of an infant and an adult. Another objection that he had to the Bill was that it, in effect, took away the prerogative of mercy from the Crown and handed it over to the jury. Those with whom the prerogative now rested were persons who were able to make a calm and unimpassioned inquiry into all the circumstances of the case, and were able to advise the Crown without prejudice; whereas the juries were peculiarly liable to be influenced by personal sentiment, by the skilled art of counsel, or the feelings excited by the circumstances of the trial of the provocation suggested. On the other hand, the Bill took away the power of pardon or mitigation in the case of persons sentenced to penal servitude for life, for it provided that the order for liberation and the grounds thereof should be laid on the Table of the House of Parliament for one month before it took effect. The power to be given to the juries resembled that possessed by juries in some foreign countries—and which was constantly exercised in France—of returning a verdict of "Guilty, with extenuating circumstances." It might be that the law of homicide required amendment. Practically, he believed the law as it now existed worked well, because it was administered by Judges who thoroughly understood the law relating to the crime; but it might be well to make the theory more consonant with the practice. The question was one of the utmost importance, and should be dealt with by the Government, who could act under the advice of the most competent authorities, and should not be left to be dealt with by any private Member, however able and experienced a lawyer he might be.

Sir EARDLEY WILMOT said, he must apologize to the Attorney General for having, as a private Member, undertaken such a task, but he had a strong feeling that the law respecting murder required amendment, and he was anxious to forward law reform to the utmost of his power. In relation to the appointment of a Public Prosecutor and other improvements in the criminal law he had put himself in communication with the Home Secretary, and it was only because no step was taken in the matter that he brought in the Bill. He hoped on a future occasion to be able to meet every objection taken by the Attorney General to the Bill, and seeing that the sitting had now almost drawn to a close he would move the adjournment of the debate.

Mr. SPEAKER said, it was not competent to the hon. Member as Mover of the second reading, to move the adjournment of the debate.

Mr. WHEELHOUSE: Then, Sir, I move that the debate be now adjourned.

Motion *agreed to*.

Debate *adjourned* till *Wednesday* next.

The Attorney General

EAST INDIA (CHIEF JUSTICES OF HIGH COURTS) BILL.

On Motion of Sir George Campbell, Bill to amend the Law relating to the appointment of Chief Justices of the High Courts in India, *ordered* to be brought in by Sir George Campbell, Sir George Balfour, and Mr. Kinnaird.

Bill *presented*, and read the first time. [Bill 98.]

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) PROVISIONAL ORDERS (NO. 2) BILL.

On Motion of Mr. William Henry Smith, Bill to confirm two Provisional Orders made under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. William Henry Smith and Mr. Solicitor General for Ireland.

Bill *presented*, and read the first time. [Bill 99.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 9th March, 1876.

MINUTES.]—Public Bills—*First Reading*—Epping Forest * (24).
Second Reading—University of Oxford * (16); Drainage and Improvement of Land (Ireland) Provisional Orders * (21).
Committee—Crossed Cheques * (12).
Committee—*Report*—Marriages (St. James, Buxton) * (22).
Royal Assent—Exchequer Bonds (£4,080,000) [39 *Vict.* c. 1]; (£4,080,000) Consolidated Fund [39 *Vict.* c. 2].

RECEPTION OF FUGITIVE SLAVES—THE CIRCULARS—PETITION.

PERSONAL EXPLANATION.

The LORD CHANCELLOR: My Lords, before your Lordships enter on the Orders of the Day, I wish to make an explanation with reference to a statement made by me in the course of the debate on Tuesday night. On that occasion I read an extract from a letter signed with the well-known signature "Historicus," and I founded an argument on the extract I read. The same extract had been read in "another place" by my right hon. Friend the Secretary of State for War; and when my right hon. Friend had read it, Sir William

Harcourt, who is supposed to take an interest in the letters signed "Historicus" made this observation, as reported—

> "His right hon. Friend the Secretary of State for War had said he had derived his ideas of International Law from a letter in *The Times* newspaper. It so happened that his (Sir William Harcourt's) attention had also been called to that letter by a very remarkable circumstance—namely, that it appeared in *The Times* four-and-twenty hours before the Cabinet condemned the law of their own Law Officers.

My Lords, I said that, no doubt from inadvertence, the statement of Sir William Harcourt was not quite accurate, because the letter had appeared after the Circular was withdrawn. My Lords, that is the fact as regards the only letter I alluded to, and the only letter read in "another place." It is now stated that there was a previous letter, and it was to this previous letter Sir William Harcourt referred. As he states this, of course, it must be the fact; but it does not affect my argument founded on another letter. I may take this opportunity of mentioning that it would appear that I am supposed to have stated that the Treaties of Tunis and Tripoli were made during the present century. Such is not the fact. What I did say was that a great number of those Treaties ranged over the last century, from the beginning to the end.

UNIVERSITY OF OXFORD BILL.

(*The Marquess of Salisbury.*)

(NO 16.) SECOND READING.

Order of the Day for the Second Reading, read.

Moved "That the Bill be now read 2^a."—(*The Marquess of Salisbury.*)

LORD COLCHESTER rose to move, an Amendment—

> "That this House regrets that any legislation should be undertaken in reference to either University, except after a more extended and comprehensive inquiry than fell within the scope of the recent Royal Commission."

The noble Lord said, he regretted to find himself on this occasion in antagonism in that House to those with whom he usually acted in concert, and especially to the noble Marquess the Secretary of State for India. He was aware also that in the period of a quarter of a century which had elapsed since the last great Reform Act was passed for the University many points had come to light in which what was at that time effected seemed to require to be corrected or supplemented. If there were nothing behind the express provisions of the Bill it might have been unnecessary to offer at this stage any opposition to its progress; but he presumed that the lines on which it was intended to act were to be sought for the speech delivered by the noble Marquess on introducing the Bill. He (Lord Colchester) had listened attentively to the statement of the noble Marquess, and, reluctant as he was to object to the principles set out in that speech he could not help dissenting from what was there laid down. The reason assigned in that speech for legislating at all seemed to be the hostile and one-sided view which the public might perhaps derive from the Report of the Royal Commission issued by the late Administration. No other view could have been afforded by a document which—by no fault of the Commissioners, but by the nature of the case—was essentially mischievous and misleading. Their Lordships had before them what was done in 1854, when great changes were made. But those changes were carried out after the Report of a Commission which had taken evidence upon every point upon which legislation was proposed; and the Report formed a most interesting record of what was the state of the University of Oxford at that time. But he complained that they were now called upon to legislate on a Report which gave no sufficient information on which to found this Bill. As it seemed to him it was upon scanty, and insufficient grounds their Lordships were called upon to facilitate changes which appeared to him as sweeping and as radical as could have been suggested from any quarter of the political horizon. In 1854 the legislation was founded on an elaborate mass of evidence, containing the opinions, on all points of importance, of the ablest men of the Universities, annexed to a Report containing recommendations founded on that evidence by a Commission authorized to inquire into the studies and discipline as well as the revenues of the University: the course now taken was very dissimilar. The proposal of the noble Marquess with reference to what he had called the "idle Fellowships" would of itself be sufficient to make him say "Not Content" to the Motion for the second reading. The noble Marquess defined an "idle Fellowship" as one which brought no work into the University. The term might be almost equally applied to Fellowships of all kinds, for the Fellows who, as College tutors or private tutors, were doing work for which they were paid from other sources than their Fellowships. One man held a Fellowship, and in addition earned money in Oxford by teaching. Another held a Fellowship, and in addition earned money, if he pleased, in London or elsewhere. He (Lord Colchester) looked upon these "idle Fellowships" as necessary to promote the ends for which the University existed. What he would urge in favour of the non-resident Fellows was their usefulness to the University. It was conceded that the University was not to be the training place of one profession; the object for which the University of Oxford was established was to give a liberal education, which would lay a good foundation of knowledge for men whatever walk in life they might adopt. Let it not, then, be said to those who intended to seek their fortunes or exercise their powers in the world at large that the rewards of academic success and industry were not for them. We ought not, by refusing to all except embryo Tutors and Professors substantial academic rewards, make persons regard academic honours as a luxury hardly to be afforded by those who had a career to prepare for outside the University itself. By doing so they certainly would not be acting on the views laid down by the Royal Commission under the Act of 1854. That Commission, in dealing with the College of All Souls, determined to connect it with the School of Law and Modern History. They required that all its future Fellows should be "first-class" men, who should be selected after a further examination in those subjects, and he believed many persons had been induced to study those subjects and to attain first classes in order to qualify for All Souls. He would suggest that allotting prizes of that kind to other new studies which it was desirable to encourage would be more effective even than the University endowments which it was proposed to found by taking away College revenue. But, besides this, by abolishing non-resident Fellowships they would snap a link between the Collegiate system and the life of the nation. They would be declaring that there should be no longer in the public service, at the Bar, in the parsonage, men who, being still members of Colleges as Fellows, frequently revisiting them and awaking again their old academic sympathies, should carry abroad the spirit of the Universities and a knowledge of University matters into all parts of England and all the spheres of English life; and, at the same time, bring something of the ideas and experience of the outer world into College administration, and secure College government from the narrowing influence which the constant groove of daily academic occupation, like the routine of any other office or employment, might tend to impress upon those institutions. He had not touched on the further argument urged by the most rev. Primate the Archbishop of Canterbury on a former occasion, founded on the great benefit to persons destined, perhaps, to high eminence in later life, of the assistance afforded to them from non-resident Fellowships; and he was sure their Lordships would recognize the force of that consideration, and would hesitate to declare that similar aid should never be afforded in future. If, however, their Lordships should unhappily be of that opinion, the question arose—what was the best thing to be done with the revenues to be derived from their suppression? He should deprecate such a change as that proposed by the noble Marquess without further inquiry. Unlimited power was proposed to be given to the Commissioners to deal with the whole of the College revenues. This, therefore, was the most extensive scheme of College disendowment that could possibly be submitted to Parliament; yet nothing was fixed as to the disposal of the alienated revenues. The utility of creating for the first time, or augmenting by additional endowments, a number of Professorships was another point to which careful inquiry should be directed. It would also be desirable to consider in whom the patronage of those lucrative appointments was to be vested. He should hesitate before entrusting to the Executive of the day so large a power over academic appointments. To give them to the University would be to give them to Convocation, and, bearing in mind the elements of which Convocation was composed, he did not think that arrangement would be satisfactory. The difficulty might be met perhaps by leaving the patronage entirely with the Colleges; but were they prepared, simply on information obtained 22 years ago, to say that this was the best method of developing the studies in connection with the Fellowships, many of which were comparatively new? On that point there had been great difference of opinion and further inquiry would throw valuable light upon it. Changes might be necessary, but they should be made in such a manner as was likely to be of lasting benefit. Would it not, therefore, be well to ascertain what had been done and thought in the University since the last inquiry before they attacked these Colleges, which were national institutions in the sense of forming an important part of the life of the nation? Again, there were questions not in this Bill which it was useless to put out of sight, because they would spring up like armed men around the path of any one who dealt with University legislation. There were plenty of persons who would raise the difficult and delicate question of clerical Fellowships. He was anxious that these Fellowships should not be extinguished, but he felt that it might be necessary to remove the apparent justification for the charge that they bribed persons otherwise indisposed to enter Holy Orders. He would be glad if they could be limited to persons either in Holy Orders or *bonâ fide* pledged to take Holy Orders independent of their being elected. He was not one of those who wished to do away with the functions of Convocation, but it might be worth while to consider whether a scheme could not be devised by which it could exercise them, not as a primary body, but through a representative body, chosen by all who now composed Convocation, whether grouped by Colleges or otherwise, and exercising a constant, and not merely a spasmodic influence. Now that the Colleges were no longer Church of England institutions it would be well to consider also whether there was any object in retaining the large amount of ecclesiastical patronage which they held in former days, when a College living was the natural termination of a Fellowship. There were many other points with which a full and careful investigation might deal with advantage. There was no need for great haste, because Oxford and its Colleges were doing well, even if they might do better. Let nothing, then, be done in haste—nothing on imperfect information—nothing in any appearance of panic; but let Parliament act with such carefulness and consideration towards them that, even if transformed and transmuted, they might retain that claim on the respect and gratitude of those who reaped the fruits of this legislation, which generations and centuries of usefulness and renown had given them—on the respect and gratitude of Englishmen at the present day.

Amendment *moved*, to leave out from ("That") to the end of the Motion; and to insert ("this House regrets that any legislation should be undertaken in reference to either University, except after a more extended and comprehensive inquiry than fell within the scope of the recent Royal Commission.")—(*The Lord Colchester.*)

THE ARCHBISHOP OF CANTERBURY: My Lords, I wish to say a few words in reference to the remarks which I thought it right to make when the noble Marquess laid this Bill on the Table, and which may have been misunderstood as if I thought it wrong that this Bill should proceed to a second reading. At that time the Bill was not in our hands. We have now had an opportunity of reading it, and I am anxious to express my desire that this Bill should pass your Lordships' House. I venture to differ from the noble Lord who has moved the Amendment. I do so on two points; the first is his conclusion, and the second is his premisses. First, I think it desirable that this Bill should pass; secondly, thinking so, I do not think it desirable that it should be preceded by a new Commission of Inquiry into the condition of the University of Oxford. My Lords, the knowledge of the state of the University of Oxford possessed by the public at the present time is, I think, tolerably exhaustive. We have had two Commissions—one a Royal Commission and the other a Parliamentary Commission—inquiring into the studies and the mode in which the government of the University is conducted; we have had another Commission inquiring into the revenues of the University. So that

I think we may be said to be now tolerably well provided with information on the subject respecting which we are called to legislate. I know the evils to which changes in great academical institutions give rise. One of them is this—It being the primary object of an University to educate, and education being best carried on when you understand what you are to teach and how you are to teach it, there has now been for a great many years a good deal of unsettlement—if I may use the word—in this great University. But, despite all the difficulties arising from this unsettlement, the University has gone on and prospered. It is a remarkable fact that whereas in the year 1850 there were only 1,400 members on the books of the University of Oxford receiving instruction, there are now 2,400 and upwards. There were in 1850 no unattached students—students who were not members of a College; there were, by a late Return, at least 187 unattached students—that is, persons receiving the benefit of University education on the cheapest possible terms. And while the number of students has increased, the number of studies has also been greatly augmented, and the number of persons engaged in conducting those studies and acquiring distinction in so doing has also been considerably enlarged. Your Lordships will see, therefore, that the University is now doing very well, and the noble Lord who has just addressed you seemed to use that as argument that you should let the University alone.

LORD COLCHESTER: I said there was no necessity for haste, and that, therefore, it was desirable to have full information before proceeding to alter.

THE ARCHBISHOP OF CANTERBURY: My opinion, on the contrary, is that it is desirable that we should come to the end of changes in the University as soon as possible. Though the University has done well at times, when changes have been in anticipation, I believe she will do better when we come to an end of those changes. I quite concur in much that is said in a Memorial a copy of which was placed in my hands this morning, and which I believe was presented to the noble Marquess by the Heads and Fellows of the College of which I once had the honour to be a Fellow. It begins by saying—"We thank your Lordship for the introduction of the University of Oxford Bill."—they think great good will result from it; but they proceed, I am bound to say, in four pages which follow this preamble, to criticize the Bill in many of its details. I am sure the noble Marquess will not object if, for a few minutes, I follow the example of the Master and Fellows of the College to which I belong. I am convinced that in some respects this Bill is approved by the University generally; and I think there is only one thing which prevents its being approved entirely—doubtfulness as to the means by which it is to be carried into effect. A Commission having reported on the revenues of the University, and the public also being of opinion that those revenues might be better applied than they are at present, Her Majesty' Ministers have done wisely in losing no time. That, I think, is the opinion of the best friends of the University, and I further think they are of opinion that the best mode of proceeding to legislation is by the appointment of a Commission which will carry the desired changes into effect. But who are to be the Commissioners? On many occasions we are called upon to prefer measures to men, but on this occasion we are called upon to prefer men to measures—because the whole Bill depends on men. We are called on to give our whole confidence to those men; but all the time we are not told who those men are. We may rely with the greatest confidence on the noble Marquess, and those who are going to name this Commission; but, taking it for granted that the Commissioners will be the best men who can be procured for this very important task, and passing over for a moment the desirableness of our being informed who those Commissioners are to be, I will venture to point out one or two matters which, I think, the noble Marquess will agree with me will be fair subject for consideration by them. Those Commissionsioners, when appointed, are to have very extensive powers indeed. They will have powers to form new statutes, both for the Colleges and the University. And they are to be subject to very little control. We are told that they are to give effect, as far as they can, to the intention of the Founders of the various Colleges; but at the end of the clause which gives that direction, there is a provision that the intentions of Founders are not to interfere with any statute which at present exists, and which sets the intentions of a Founder aside. We know only very little, perhaps, now of the exact intentions of those Founders. We do know that many of them were desirous to benefit their own souls by having masses celebrated in their own Colleges, and we know that the celebration of a mass in the College chapel is one of those things now, I suppose, prohibited by statute; but when that is known, we know very little more as to their intentions than that they had a general desire to promote education. Therefore this restriction as to following the intentions of the Founders can scarcely be considered as any restriction at all on the liberty given to the Commissioners. There is this further—an appeal is to be given to Her Majesty in Council in respect of any statute which may be framed. Perhaps I may be allowed to make this criticism—that the appeal is to be against the "validity" of any of those statutes. Well, my Lords, large as are the powers of the Commissioners, I do not very well see how they can maintain statutes if they are invalid, and therefore I cannot help thinking that the phrase "validity" got into the clause by some accident, and that the right of appeal is really meant to be in respect of the propriety or wisdom or suitableness of any statute that may be passed. But again, I am a little staggered because, while in the former University Bill it was provided that Her Majesty in Council might refer the statute to five Councillors, of whom two were to be Members of the Judicial Committee, in this Bill it is provided that there is to be a direct reference to the Judicial Committee, and to that Committee only; and this would seem to imply that the question to be brought before Her Majesty in Council is not as to the general wisdom or desirableness of the statute, but as to its validity in law. Again, the Commission, no doubt, will consist of the wisest persons to be found —but they are not to last for ever. But a means of revising and improving the statutes of the University which is to last for generations is also provided by the Bill, and on this point also I wish to make one or two further observations. Before doing so, I may mention that the Memorial to which I have referred states that it would be desirable if the Commissioners, before proceeding to their duties, were instructed to hear all parties who might have anything to say in the matters which were to engage their attention. That, I take it, is a good suggestion. The memorialists are also anxious that something should be done to shorten the duration of the Commission. They think that seven years of an existence is too long, and it would be an improvement, no doubt, if its existence were not so unduly protracted. But whether it is to be seven years, or three, or two, after the Commission comes the arrangement by which for all time the University is to have power to revise and amend its statutes. Now, if there was anything which the Founders intended, it was that the Visitor was to be the perpetual representative of the Founder himself; but this Bill displaces the Visitor by implication as effectually as if it did so by name. I find that, instead of the Visitor, the power of visitation is to be vested in what is called by the somewhat indefinite name of the University. Now, I do not think that the intention of Founders was to submit their Colleges, and especially the funds of their Colleges, to the University, which may be anxious to appropriate them. The word "University" is somewhat vague, and, with the noble Lord who moved the Amendment (Lord Colchester), I cannot suppose that it is the intention of the noble Marquess to vest the powers to which I have been referring in the body called "Convocation." With all respect to the Convocation of the University, I do not think it is much more popular in the country than the other body which bears the same name. Suppose there was a statute which excited any amount of religious heat—it would be very undesirable to summon the clergy from all parts of the country to decide on such a statute by a *plébiscite;* neither do I think that a *plébiscite* of London lawyers and country gentlemen would better meet the exigencies of the case. In the Convocation of the University it is now generally understood that not only can all the members be summoned, but votes can be given by proxy. It appears to be impossible to intend that statutes under this Bill shall be framed in this manner. Again, I wish to call your Lordships' attention to some of the subjects with which the Commissioners in the first instance, and the University afterwards, will have to deal. The Commissioners are to alter the statutes—and it will be necessary for them to do so with great care. I find that by the clause as to the alteration of statutes, the Commissioners, in making a statute for the University or a College, shall have regard to "the interests of religion, learning, and research." A marked separation seems to have been made in that clause between learning and research. If research is meant that is not based on learning, I confess I am at a loss to understand the value of such research. Moreover, education is an important part of the work of a University, and I cannot help thinking that the omission of the word "education" is an oversight. Again, I do not find any provision in the Bill to make the University more accessible to the general community. When we remember the large revenues of the University and the number of persons who are debarred by present arrangements from availing themselves of the benefits of University education, it would be natural to make it one of the primary objects of the Commission to inquire whether the expenses of the University could not be so diminished by the help of those endowments that a greater number of persons should be able to enter the University. I am the representative, more or less, of some 20,000 clergymen who have the greatest difficulty in obtaining a University education for their sons. It is true that scholarships can be obtained by competitive examination; but all the sons of the clergy who are entitled to a University education are not qualified to obtain those prizes by competitive examination, and I think a more natural use of the College revenues could not be found than that of enabling University education to be given at a cheaper rate to all those who desire to avail themselves of it. Any of your Lordships who have read Dr. Arnold's life will remember how he expresses his respect for a pupil who, having no brilliant abilities, laboured hard to make the best use of those which God had given him. There are at present a vast number of young men throughout the country who have no chance whatever of obtaining by competitive examination the distinctions of scholarships in our various Colleges, but who still are desirous of the benefits of University education, and who, if they could obtain it, would be most useful servants of Her Majesty. I therefore do trust that in the arrangements these Commissioners may make, they will not overlook the possibility of applying the funds of the University to making University education cheaper for those who are not at present able to afford it. That would be very much better than the erection of any number of spacious and beautiful museums. I rather gather from the speech of the noble Marquess that he is by no means insensible to this very important point. The friends of Physical Science think they will be able greatly to improve the character of the University by pulling down one building and erecting another; and I cannot help thinking the surplus which the noble Duke (the Duke of Cleveland) and the other Commissioners have reported to us may very speedily disappear if, under the guidance of the master spirits of Physical Science, we are placed in the hands of some admirable architect qualified to make a complete end of the whole fund. Again, I think it is desirable to extend the range of subjects in which you give prizes; but still I desire that the Commissioners' attention should be directed especially to subjects which have been tried for a very long time, and found to be of great importance. By all means, if you will, let us have Chairs of Biology, and Sociology, and Anthropology, when it is certain that these are sciences. No doubt it is very desirable that in a great University you should not have to go across to Germany in order to obtain information on any branch of science, or on any language, or on any other matter; but still I do trust that the Commissioners will have their attention directed to this point—that their chief business ought to be first to make as perfect as possible the machinery of those great and tried sciences which the experience of ages has proved to be admirably suited for training the minds of the young. Moreover, I trust that nothing will be done to destroy the Collegiate character of the education given at Oxford and its tutorial system. I do not think I need say a word about "idle" Fellows or Fellowships. I believe the noble Marquess has out-of-doors raised a storm by what he said on the subject of "idle Fellowships." I am somewhat surprised at that, for I do not think the noble Marquess, with his own experience of Fellowships, or the other noble Lords present who have done honour to the Fellowships which they have held, could mean more on this matter than that some check should be put on the holding of Fellowships for too long a time. The noble Lord who has just sat down (Lord Colchester) made an observation of great importance with reference to the connection which the Universities have with persons in the outer world who hold Fellowships. I need not go back to remind your Lordships of Lord Stowell and Lord Eldon, Fellows of University College. The Universities, no doubt, to this day derive advantage from men who, like the noble Marquess the Chancellor of the University of Oxford, and several noble Lords whom I see opposite, have become distinguished in life while connected with the University by the Fellowships which they held. My Lords, I shall therefore say no more upon the subject of these Fellowships, further than to remark again that our object should be to limit the time during which they may be held, and not to put an end to them altogether. I ought to apologize to your Lordships for having trespassed at such length upon your Lordships' attention, but my excuse for having done so must be that I do feel this matter to be one of the utmost importance to the Church in which I hold office—because it would be indeed an evil if the Universities of Oxford and Cambridge were to cease to be the habitual places of education for the clergy of this land. We are entering, no doubt, upon a difficult and dangerous time. No man can look at what is occurring in Europe, in America, and even in Asia, without feeling that we are entering on a time of insecurity, in which we shall have to contend, on the one hand, with a materialistic Atheism, and on the other with a sentimental Deism, and yet not seek to meet these antagonists by mere unreasoning appeals to authority. It will in the future, I trust, be the task of our Universities to combat those influences by maintaining the reasonable, wise, and loving Christianity which, thank God, is at present deeply rooted in the hearts and the affections of the people of this country; and I am sure that the nation in the times before us will be very greatly altered if it ceases to be influenced by the tone which exists in its great Universities. Your Lordships, therefore, cannot be engaged in a more noble and important task than in placing our Universities in such a position as may enable them to do their work well in the age in which we live.

LORD CARLINGFORD said, he had the pleasure of concurring in nearly all the observations which had fallen from the most rev. Primate in his able and eloquent speech. He especially agreed in the remark that there should be no undue interference with the influence and independent action of the Universities; because he believed that the services which those institutions had rendered, and were capable of rendering, ought to secure to them the most respectful and careful consideration. He agreed with the most rev. Primate in earnestly hoping that the continued interference by Parliament in the affairs of the Universities and Colleges would not be necessary in the future; and he trusted that the present measure would be the final occasion on which Parliament would be called upon to interfere with them. He hoped, therefore, that both Houses of Parliament would contrive so to shape this Bill as to make further interference by Parliament with the Universities unnecessary. At the same time, he could not assent to the proposition that all the reforms which had so largely conduced to the recent marked progress of our Universities had sprung from within those Bodies, and that they had been originated, not in consequence, but in spite of the interference of Parliament. In his view those reforms had been the direct consequence of the interference of Parliament. In reference to the particular case referred to by the most rev. Primate, he did not think that any conclusion in favour of matters being left altogether to the internal action of the Universities was to be drawn from their action, as opposed to that of Parliament, with regard to the unattached students. The noble Marquess's historical statement on that point required some little correction—because it was not a question on which the University had always been right, and Parliament and the public always wrong. The first authority which proposed that successful mode of developing the advantages of the University system was the first University Commission. The Liberal Party did not allow the subject to rest; because some years after that Mr. Ewart brought in a Bill in which that proposal was laid before Parliament, when the subject was referred to a Committee of which he had the honour of being a Member. The Liberal Members of that Committee, by the examination of witnesses, did their best to secure the success of that reform; while at that time the noble Marquess (the Marquess of Salisbury) and his friends showed by the course they adopted that they looked upon the proposal with dislike and alarm. That, at all events, was not a case in which Parliament was in the wrong and the University in the right, as the noble Marquess had seemed to imply. He desired to disclaim any feeling of hostility to the Bill; on the contrary, he thanked the noble Marquess and the Government for having brought it forward. In doing that, he wished also to follow the example of the most rev. Primate by asking their Lordships not to forget the debt of gratitude which they owed to those who had taken the first step in that great movement of University reform of which this Bill was the result. He thought that the thanks of all were due to the noble Lord (Earl Russell), who, when known as Lord John Russell, was the first to propose the appointment of the University Commission, which had thrown so much light upon this complicated and difficult subject. From the Report of that Commission resulted the important and valuable legislation of 1854 which was largely due to the efforts of Mr. Gladstone. When he listened to the speech of the noble Marquess he was reminded of a speech, a maiden speech, which he had the pleasure of listening to some 22 years ago on the second reading of the University Bill, which certainly contained some things not very pleasant to the promoters of the Bill. However, the fact of his having brought in the present measure was a proof that he had learnt a good deal since that time. He (Lord Carlingford) did not complain of any want of reforming spirit in the measure which was before their Lordships. The noble Marquess in charge of the Bill had displayed a considerable faculty for disestablishment and disendowment. He had shown himself to be possessed of that spirit of destruction which combined with constructive power was absolutely essential to any large measure of reform. The only question for discussion was whether the noble Marquess was taking the right direction in his work, first of destruction, and secondly of construction. He would refer to two points which he thought were not covered by the Bill. Among the questions omitted he was sorry to find that of the constitution and government of the University, and he was rather surprised at the way in which the noble Marquess passed those matters over. The noble Marquess pointed out the great reforms effected by the former Act, and seemed to assume that the present constitution of the University was so perfect that nothing further was required to be done concerning it in the way of alteration or reform. He (Lord Carlingford) could not agree with the noble Marquess in this view; on the contrary, a great number of persons both inside and outside the University held that the University at present was not truly and completely under academical government. The legislative power of the University was vested in the Hebdomadal Council, the Congregation, and the Convocation. The original intention of the Commissioners of 1852 and of the Bill of 1854 was that only those who were actually connected with teaching and learning at Oxford should take part in Congregation. But beyond these there were members of Congregation qualified merely by residence within a certain distance of Oxford. The result was that these non-academical members could, in cases of special excitement, or when party or theological purposes were to be served, be called in aid for the purpose of swamping the votes recorded by the resident members who were directly interested in the work of the University. The Convocation was, no doubt, a body which acted but seldom; but it could act with disastrous effect upon the University. It consisted of some 4,000 persons, spread over all England, any number of whom might, at any time, be brought up to overbear the votes of the resident and acting members. He would not go the length of saying that Congregation should be literally confined to actual academical residents; but he thought it should be limited by a franchise implying some real connection with the University either as teachers or students; and, further, it was a question whether the legislative powers of Convocation should not be transferred to a Congregation so formed. The other points omitted from the Bill were less important; but still they deserved consideration. The present system, under which any control that existed over the management of the estates and revenues of the College was vested in the Inclosure Commissioners and the Visitors, was felt to be extremely unsatisfactory, not to say shadowy, and he should like to hear from the Government that reform was contemplated in this direction. Further, it struck him as being a singular exception to the wide powers of the Commissioners, that they were forbidden to deal with the condition now insisted upon in the majority of the Colleges—that the headships were only to be filled by gentlemen in Holy Orders. Oxford opinion required that in the choice of headships they should be released from that condition. At Balliol and University Colleges it had been removed, and he should have liked to see the same thing done in all the Colleges. It was desired, further, that opportunity should be given to combine the smaller Colleges in order to economize power and to increase the teaching force, and he had hoped that this point also would have been dealt with in the Bill of the noble Marquess. The speech in which the Bill was introduced did not make clear the result which was likely to arise from the action of the Commissioners to be appointed: the noble Marquess was, however, clear in the expression of his wish to strengthen the Professoriat, and in this respect the majority of those who wished well to the University would agree with him. But he (Lord Carlingford) could not go so far as the noble Marquess in the opinions expressed as to the question of what the noble Marquess described as "idle," but what he would call prize Fellowships. The subject had occupied, indeed, a disproportionate part of the noble Marquess's speech; in one part of which he seemed to go almost the whole way to the extinction of these Fellowships. The opinion of those with whom he had communicated, and with whom he agreed, was not that of the noble Marquess. They admitted that too large an amount of the funds of the Colleges was expended in this way, and they willingly admitted that no prize Fellowship should be held for life, or beyond a very limited term of years; but beyond this they thought that the possession of these prize Fellowships for a term of years was of the highest value to the University, and had afforded the greatest assistance to many of its most distinguished sons. In the early part of a man's professional career those prize Fellowships were most valuable, and they were not to be condemned because the studies of the holders of them were necessarily carried on outside the University. He believed that the University was rich enough at present—and it would soon be much richer—to endow the Professorships, and still leave a good supply of prize Fellowships to the Colleges. Provision for original research was one of the objects set forth in the Bill. Now, he (Lord Carlingford) was very much disposed to agree with those who thought that a well-endowed and varied Professariat was a sufficient and safe endowment of research. Such a Professoriat, combined with the tutorial system of the Colleges, would always leave sufficient leisure for the prosecution of research, and the election to a Professorship had this immense advantage over the election to an office of mere study, that it was a matter of public concern—a case in which there were fixed and public duties to be performed, and where those abuses were not likely to exist which might creep in under a system of patronage for research merely. He did not forget the *Rabagas* simile of the noble Marquess, in his speech bringing in the Bill, which was far from encouraging to his mind. If research was to be bribed into discretion by comfortable endowments, he hoped that science would wrap herself in her own virtue, and stick to honest poverty *sine dote.* With respect to the Commissioners who were to carry out the provisions of the Bill, he could have wished that their names had been placed before their Lordships before they were asked to read the Bill a second time. Their powers, as defined in the Bill, were both larger and more vague than were those given to the Commissioners by the Bill of 1854. That Bill differed very considerably from the present. It swept away all sorts of obstructions, and without this having been done the Universities could never have made the progress they had; but the work then done consisted mainly in the removal of abuses. The proposed Commission was of a more constructive character; and that was a reason not only why the names of the Commissioners should be disclosed as soon as possible, but also why there should be some statutory indication of the course of reform which Parliament desired they should take. There was another distinction between the two cases—that the Bill of 1854 and the Executive Commission under it were preceded by a most admirable and exhaustive inquiry. He should be sorry to suggest any kind of inquiry which would obstruct the Bill or lead to delay, but he could not help considering what would be the course of things in the University and Colleges if the Commissioners set to work under the powers of the Bill as they then stood. It evidently would be most unsatisfactory if one College was to frame and send to the Commissioners its scheme of reform, and its plan of contribution to University purposes, without knowing what the other Colleges were about, or whether the University concurred with the Commissioners as to what, in their opinion, the requirements of the Colleges were. That would be a futile and haphazard method of making statutes carried on by the Colleges piecemeal. He should like the noble Marquess to consider whether the Commissioners might not be required to frame a general scheme of University reform before making special statutes—whether, at all events, they might not be directed to ascertain what were the requirements of the University, and for that purpose to take such evidence as they might think necessary. That would be a very different thing from a general and vague inquiry, and the evidence would be given under a strong sense of responsibility. Such an inquiry, instead of causing delay, might, on the contrary, expedite the operation of the Bill. He (Lord Carlingford) desired to direct attention to two points, which had excited some doubt and even alarm. One was as to the mode of sanctioning or vetoing the statutes. Congregation and Convocation were large and fluctuating bodies, and he protested against the idea of committing College statutes, framed by a majority of two-thirds of those who were directly interested in the matter and who knew best what was required, to the tender mercies of bodies whose composition in any particular case no human being could foresee. They might be small and tranquil; but, on the other hand, they might be numerous and excited; and there was evidently a great objection to such a mode of sanctioning or vetoing the statutes. The other point to which he wished to advert related to the provisions and policy of the Universities Tests Act of 1871. He would assume that there was no intention of meddling with that policy or of taking any backward step under the provisions of this Bill; but those who had examined it believed that, as it stood, such a reversal of policy might directly or indirectly occur, and they naturally did not wish to leave a matter of such importance to the discretion of any body of Commissioners. It was believed that such reversal of policy might be effected by the combined action of the 16th and 42nd clauses of the Bill. Under the 16th, the Commissioners might attach any conditions they pleased to the taking of certain offices; and under the 42nd they might except the 3rd clause of the Tests Act of 1871 from the operation of the Bill, and thus reverse the policy of that Act. It was also feared that other provisions of the Bill indirectly affected the Act of 1871. This might be done in various ways. It was possible, for example, that the Commissioners might attach a Clerical Fellowship to some Professorship, sub-Professorship, Lectureship, or Readership, thereby maintaining its clerical character, and obviously reversing the provisions of the Tests Act. He only mentioned this last objection by way of inquiry, but it was a matter upon which no discretion ought to be left to the Commissioners. To prevent any doubt on this point it might be necessary that the policy of the Tests Act should be maintained and preserved by the express words of the present statute. He would not on the present occasion go into the question of clerical Fellowships. The whole system of clerical Fellowships was condemned and denounced by the first Commission, and was still condemned and denounced by a large body of persons both in and out of the University, who objected to its continuance as false in principle, and unfitted to a national University. Those who held this opinion maintained that their abolition was so necessary in the interests both of religion and learning that no University reform could be regarded as final until it dealt with this question. Those who thought the abolition of clerical Fellowships an essential part of Oxford University reform could not be expected to lay down their arms unless the subject was dealt with by the Bill, and if it were not, they would only wait for a favourable opportunity of dealing with it. He had offered these remarks in no hostile spirit, and trusted that good would result from the passing of the measure. He esteemed it an honour to belong to one of the greatest Colleges of the University, and he wished to see the University of Oxford ever more honoured and influential. It was because he wished to see the University pursue her career of honour and usefulness without further Parliamentary interference, that he desired to see this a final and complete measure.

The Earl of CARNARVON said, Her Majesty's Government had nothing to complain of in the tone of comment which had been adopted with regard to this Bill. Those comments had indeed been singularly fair and temperate, and only did justice to the Government for the intentions which had actuated them throughout in legislating for the University of Oxford. Therefore, he regretted that his noble Friend (Lord Colchester) should so much disagree from the substantial principle of the Bill, and should deem the speech with which the noble Marquess introduced it so much more objectionable than the Bill itself, as to have deemed it his duty to move this Amendment. The settlement of this question had now advanced by several distinct stages. Their Lordships were agreed that some alteration should be made and that it was desirable to legislate at once, that further delays would be prejudicial to the best interests of the University, and that a further inquiry such as had been suggested could lead to no advantageous result. Lastly, it must be taken that there was a general agreement, so far as this Bill was concerned, that there was no intention of interfering, either directly or indirectly, with the Tests Act of 1871. There was no desire whatever on the part of the Government to evade the provisions of that Act. The real question raised that evening resolved itself first of all into the character and operation of the Commission to be entrusted with carrying out the provisions of the Bill. No one had taken objection to the issuing of the Commission itself, and all agreed that it was the best mode of ascertaining the necessary facts and administering the questions arising out of the Bill. The doubt that did arise on the part of some was whether the powers given to the Commissioners were not somewhat too large and might not be open to abuse. The answer to that objection must be found in the character of the Commissioners; secondly, what would be the rules laid down in the Bill; and thirdly, it must be remembered that there would always be an appeal to Parliament. It had also been suggested that the term of seven years during which the Commissioners were appointed was too large. That was, however, the term during which a former Commission was appointed, and the Government had come to the conclusion that seven years was not an unreasonable period to allot for the working of the Commission. That was the period to which the former Commission was limited. With regard to non-resident Fellowships, a hope had been expressed by his noble Friend that the Government did not contemplate their absolute extinction. He did not gather that this was the intention of the Bill, he rather thought it referred to the number of these Fellowships and the term during which they were to be held. There were certain reasons why prize Fellowships were desirable; but on the other hand there were certain objects in the University system which ought to take precedence; and until the University had acquired the whole of its necessary educational machinery it was not at liberty to spend the revenues of the Colleges and the University upon such distant objects as prize Fellowships. The Colleges had the first claim to their own revenues; the University had the second claim for educational purposes; and not until the just claims of the Colleges and the University had been exhausted should the surplus be devoted to the endowment of prize Fellowships. There was nothing in the Bill to prevent the Commissioners from acting in this spirit. His noble Friend (Lord Colchester) had spoken of this Bill as a great disendowment of the Colleges; but the fact was that the Bill provided every safeguard for securing all that was right and reasonable in the educational work of these

Colleges. The foundations of the last 100 years were absolutely excluded from the operation of the Bill; other interests were most carefully and religiously provided for; and the greatest security was afforded to the Colleges by allowing each to have three representatives on the Commission. Under the circumstances, it seemed to him difficult to say that there was any ground for the assertion that the Colleges were exposed to confiscation. It had been said by one noble Lord that there was to be disendowment of the Colleges for the benefit of the University, and by another that sufficient was not being done for the University; and it was probable that between these two extreme views the Government had adopted a safe and moderate middle course. It must never be forgotten that originally at Oxford the University was the chief and the central figure; but changes had occurred, and, while other Universities—such as that of Paris—retained their University character, at Oxford the supremacy had passed into the hands of the Colleges. He was far from saying that the Colleges had made other than good use of that power; but, at the same time, the character of the University was *pro tanto* impaired; and in restoring a little of the power which originally belonged to the University, we were but reverting to an old idea, but a sound one in theory and in practice. He believed that all their Lordships had been, more or less, brought up under the Collegiate system, and he for one should grieve if anything in the Bill would seriously impair it, for he looked back upon his College course with the deepest satisfaction, and he knew that many regarded it as in some respects the happiest period of life. The influence of College life generally threw over a man a strong and a powerful spell, which he recognized for the remainder of life, and he should grieve if anything in the Bill was calculated to do away with that which he thought was a wholesome and right influence. But something was due to the University. It had large functions; it was invested with particular duties and powers which a College could not discharge; and it was only right to strengthen in these respects the hands of the University. Since 1854 there had been a very advantageous extension of the life of the University. Institutions, both literary and scientific, had been created, and had begun a work which it was desired to complete by this measure. He found it rather difficult to grasp the meaning of the most rev. Primate, when he expressed a hope that nothing in the Bill would preclude surplus revenues being devoted to the education of the poorer students; but, so far as his words were intended to shadow forth a cheaper system of education and the extension of facilities to the poorer students the views of the most rev. Primate had been anticipated by the speech of the noble Marquess in introducing the Bill. He agreed with the most rev. Primate that it would be undesirable that a large sum of money should be wasted on mere architectural ornamentation. But there were certain branches of scientific teaching which it was almost impossible to carry on unless suitable buildings were provided. He was one of the trustees to whom was entrusted the spending of a sum of money under the will of Lord Clarendon, and it was originally proposed to expend it upon a ragged school at Oxford; but they found it possible to apply it to the building of a laboratory for the teaching of physical science, and he believed that was a proper employment of the money, while he was satisfied that the laboratory had been of the greatest use in the work of teaching science. Therefore, while he agreed with the general principle laid down by the most rev. Primate, he was bound to say that the construction of suitable buildings was essential to scientific teaching. He would not go so far as to say that the constitution of the Convocation was perfect; but many objections urged against it were hardly fair or reasonable; and he demurred to the statement that it did not represent the teaching element. It represented more; it represented the whole University, which had been for years, and would be, he trusted, more and more a centre of intellectual life spreading to every part of the country. Allusion had been made to the Act of 1854; but since that Act, great changes had occurred, and, recollecting the debates on that measure, he hoped that by the present Bill they were taking a new point of departure—a combination of the old with new lines. The most rev. Primate took exception to the association of research with religion and learning. No doubt originally, religion was the one object of the University; then, after a struggle, learning was added; now a third ally had been associated, and the triple object of the University, which must be laid down in any measure of University reform, was the combination of religion, learning, and research. A majority of the House would rejoice to know that religion was kept steadily in view as an object in the University system. It had been feared that the changes of late years would destroy the religious character of the teaching of the University—he did not believe they had done so, or even greatly impaired them. The Tests Act certainly had not done so; it had simply removed certain restrictions and done away with every reasonable ground of grievance. As regarded its religious teaching, no doubt a great change had passed over the University. A dull and colourless uniformity had been succeeded by a conflict of opinion and a mental strife, in which graduates and undergraduates participated. No doubt it was an undesirable thing that young men's minds should not be exposed to such severe conflicts as were sometimes engendered; but by one of those systems of accommodation of which philosophers spoke, men's minds, even when young, were hardened and fortified by such conflicts, and though the weaker might succumb, others rose to much higher qualities. Out of the evil there arose often very great good. As regarded learning and research he would say one word. He understood learning rather to mean that whole system of old learning which had been the pursuit of the Universities for now so many generations, and had turned out so many men distinguished in Church and State, and done such credit to this country. That system of learning would not in any way be disparaged or broken down by the results of this Bill. If such a danger existed, he had faith in the Commissioners that they would bear all these conflicting principles and questions in mind, and that they would be able, with a steady and impartial hand, to hold an equal balance between the old learning, which had done so much, and the newer scientific teaching, which was still undeveloped. He sincerely hoped that this measure would lead to satisfactory results not only in the actual education of the Universities, but in the influence which they exerted upon the nation.

THE DUKE OF CLEVELAND: My Lords, every Member of the Royal Commission over which I had the honour to preside was perfectly aware that our inquiries into the revenues, and their application to the Universities and Colleges of Oxford and Cambridge, were intended to pave the way for legislation. I approve, therefore, for my part, of the main principles of the measure introduced by the Government. I concur in much that has fallen from the most rev. Primate. I agree that the tutorial system ought to be maintained, and that the Professorial system can only be combined in a modified form. An inquiry should, therefore, be immediately made by the Commissioners to ascertain what are the wants of the University; what Professorships are required, and what has been the results of those recently established. I entertain doubts how far the funds disposable from their presumed superfluity are adequate for eleemosynary grants for the benefit of poor students in accordance with the suggestions of the most rev. Primate. You are about to make indefinite demands on the revenues of the Colleges, and these are not so abundant that they can supply every source of expenditure. Care ought to be taken in the exercise of the borrowing powers of the Colleges. Unless these matters are brought directly under public notice, mistakes and mismanagement may occur which may occasion serious embarrassment. Although prize Fellowships must be reduced in number, I should regret extremely their abolition; but I understand from the noble Marquess that there is no such intention. The Commission of 1854 entertained the idea of reducing the number of Fellowships, but they were, I believe, deterred by the threatened opposition of Lord Macaulay, as it is understood, from making this proposal. Great changes have taken place in Oxford since I was a member of it, now many years ago. It is impossible not to recognize the necessity of acting in accordance with the sentiments and the progress of the day. Encouragement ought to be given by pecuniary assistance to subjects, not popular, but required by the high character of Oxford. But great caution must be exercised lest large sums hould be uselessly squandered. The Government must expect pressure on the subject of the exclusion from the consideration of the Commissioners of the Headships. The clerical headship of Christ Church is undoubtedly peculiar and is now entirely paid from ecclesiastical funds. Oriel and Worcester are so in part, but present no insuperable difficulty to lay headships. The opinion of Oxford is undoubtedly favourable to no exclusion of lay heads, if preferred by merit to clerical ones. I should be very sorry if the high character of Oxford were changed. I do not believe in finality in University reform; but when we deal with the question we should so act as to meet, as far as possible, important objections. Although the increase, as remarked by the most rev. Primate, of students unattached to any College is large, yet it falls short of the increase anticipated by the Commissioners in 1854. I have little doubt, however, that the influence of the Universities through the examinations carried on by them in every part of the country will extend widely, and attract greater numbers of students, not attached to Colleges, to participate in the advantages of their high character.

The Earl of MORLEY said, he had hoped that the noble Lords opposite who had spoken that evening upon this measure would have given the House some assurance that they intended to meet in Committee the objections that had been raised to the Bill, but the noble Earl (the Earl of Carnarvon) had neither replied to the objections nor given that assurance:—still he was not without hope that the noble Marquess (the Marquess of Salisbury) in closing the debate would give such assurance that he would take that course. Although he (the Earl of Morley) did not support the Amendment which had been moved, he felt that the Bill was open to very grave and serious objections. Without wishing to criticize the measure in a hostile spirit, he must express his strong objection to a Bill that was to confer blank powers upon a blank Commission. He had three objections to the Bill. He objected to the Bill—first, because it expressed no policy that was to guide the Commissioners in their course of action; secondly, because there were omissions of a great and important character; thirdly, because some of its clauses were retrograde. These objections would have to be met and remedied if the Bill was in any sense whatever to be considered a final measure. The Bill, as it at present stood, instead of being one that would aid the cause of progress and reform, would fail to satisfy those who were most desirous of advancing University education. The real principle of the Bill was to take away from the Colleges and give to the University. Of this principle up to a certain point he heartily approved. The House was asked to confer unlimited powers upon Commissioners whose names were not yet known. The Bill was also objectionable because it proposed to confer those unlimited powers upon these unknown Commissioners for a period of seven years—a term unexampled in its duration. Thus, if the Bill were passed, the University would be subjected to a process of vivisection at the hands of unknown operators for that lengthened period. There were no provisions in the measure which would have the effect of securing uniformity of action in carrying out the objects of the Bill. He further objected to the statutes for the regulation of the internal concerns of the Colleges being obliged to receive the sanction of the University before they could come into force; and the effect of allowing the Colleges to appoint certain of the Commissioners might be to stop the progress of University reform altogether, inasmuch as the Colleges which most required reforming would send representatives who were not reformers. While he did not think the inquiry suggested by the noble Lord (Lord Colchester) was necessary, he would ask whether it would not be possible for the Commission, before it commenced to legislate definitely for the University, to be furnished with a precise scheme under which its members could decide what was necessary to be done and how it could be best effected. If this was possible, he would suggest further that the scheme, before being finally decided upon, should be submitted to the University authorities. With regard to the Professoriat, he quite agreed with what had been said as to the importance of increasing the number and augmenting the pay of that body. There had been of late years a vast extension of an inter-collegiate lecture system—a system originated by many of the most important Colleges at Oxford, which had immensely improved the teaching, and had almost entirely deprived the private tutors, or "coaches," as they were usually called, of their occupation. He should be sorry to see this beneficial system impaired, but there could be no doubt that the Professors were too few and their salaries too low. While he was somewhat sceptical as to the expediency of endowing research as research, he would support any proposal to make special grants during limited periods for promoting the study of special subjects. Then the question of the patronage was one of the greatest difficulty. The Bill would increase the number of Professorships and other appointments; but there was no hint in the Bill of any scheme by which the appointments were to be made. He need not remind their Lordships of what the result of some of the elections of Professors by Convocation had been of late years—but it was plain that Convocation was not the proper body to elect the Professors. Further, he regretted that no Amendment was suggested in the constitution of the University. The Commission of 1852 recommended that the Congregation should consist only of the members of the University who were engaged in academical work; but this was not acted upon, and, as a result, it not unfrequently happened that, owing to the increased number of churches in Oxford, and the additional number of incumbents and curates attached, there were sufficient non-academical members of the University resident within a mile and a-half of Carfax, but entirely unconnected with the teaching of the University, to defeat the wishes of those members of the Congregation who were vitally interested in the matters which had to be decided. He hoped that before the debate closed some explanation would be afforded as to the views of the Government concerning the removal or otherwise of the disability which, except in the cases of Balliol and Merton Universities, precluded any except ecclesiastical persons from holding the headships of Colleges. The Commission of 1852 recommended that every Master of Arts should be eligible for a headship; at present every Head of a House was an ecclesiastic, and the highest rewards of learning were not open to those who were most qualified to receive. He believed that public opinion in Oxford was strongly in favour of an alteration in this matter. He thought the question of prize Fellowships should be dealt with very carefully, because it was necessary, now that the unattached student system had been established, and that the middle-class schools were sending up men of less pecuniary means than formerly found their way to the University, for inducements to be afforded to the best among such students, in the first place to enter, and afterwards to remain in, the University. He agreed that they should be limited as to amount and also as to time. He also considered it very important that the system of prize Fellowships should be uniform throughout the University, otherwise they would have one College bidding against another, and an unhealthy competition created. One other matter in reference to these Fellowships he desired to point out. There were over 360 Fellowships at Oxford, clerical and lay; but what guarantee had they that under the Bill the Commissioners would not deprive the Colleges of the resident Fellows, who constituted practically the lay element, and leave them entirely in the hands of the clerical element, or, at any rate, seriously diminish the proportion which the lay Fellows bore to their clerical colleagues on the governing bodies of the Colleges? That was a real danger, and he hoped that means would be taken to guard against it. On the question of tests, he understood the noble Marquess (the Marquess of Salisbury) to say that there was no intention to interfere with the policy of the existing Act, and that, on the contrary, the Tests Act would be kept alive in its integrity. That fact ought, he thought, to be made plain on the face of the Bill. He desired also to see a provision introduced into the measure enabling College funds to be applied to the superannuation of teachers. He assured the noble Marquess that he had criticized the Bill in no hostile spirit. He was sincerely desirous that it should pass, but in a more satisfactory form than it now presented; and he trusted that the University, reinforced by the proposed aids, would take up the proud position she so long held, and would, he hoped, long continue to hold, as the head and centre of all science and learning in all its branches.

LORD HOUGHTON observed, that the Bill placed the University of Cambridge in a very invidious position. For his part, he could not see, *primâ facie*, why the Bill ought not to apply equally to both Universities:—but perhaps it took its present peculiar form from the accidental circumstance that the noble Marquess who introduced it was at once a distinguished Member of Her Majesty's Government and Chancellor of the University of Oxford. If it were intended to deal differently hereafter with the University of Cambridge, then he thought the difference ought to have been stated. On the other hand, if the intention was that a Bill like the present should be applied to Cambridge, those who were interested in that University would labour under the disadvantage of being heard when virtually the question had been settled. That was a practical difficulty, which would not exist if the Bill had been permissive only, and was not of the absolute and dictatorial character which it had assumed. A permissive Bill, under which the Colleges, in consultation with the University would be enabled to reform their statutes, would, he thought, have answered every purpose. The extensive powers which the Bill would confer could not but give rise to extensive hopes and expectations, which certainly would not be fulfilled and which, if they were, would be very distasteful to the noble Marquess and Her Majesty's Government. He considered it extremely doubtful whether the results expected from the proposed dealing with the Professoriat would be realized. He doubted whether by increasing the number of Professors to any great extent the interests of learning and science would be advanced. While the Professorial system had been growing up in one direction, the Bill proposed to extend it in another. He believed that if instead of the present Bill some arrangement were made by which the superfluous funds of the Colleges could be diverted to the general purposes of the University, it would meet with the general consent of both Universities. Trinity College, Cambridge, of which he was a member, had taken a great step in diverting from its prize Fellowships a considerable sum for the purpose of endowing lectureships in Philosophy, Archæology, and Physiology, with salaries of £600 each. Hitherto, the tendency in that direction had come from the richer Colleges, and by the extension of this system the sum required for these purposes might be gained. The richest Colleges were the best and most useful, and the poorest Colleges would be left very much in their present condition. There was an old proverb about giving a dog a bad name, and it was hardly fair to stigmatize the non-resident Fellowships as "idle Fellowships." He could not agree with some of his noble Friends that the objects proposed to be attained by the Bill were left so entirely vague as had been represented. He believed, on the contrary, that the direction in which the changes were to run were perfectly indicated in the words of the Bill; nor were their Lordships justified in requiring that in such a measure as the present the Government ought to incorporate any change in the constitution of the University. He did not see how with any convenience that subject could form any part of the present measure. He should like to hear from the noble Marquess some indication of how the members of the University of Cambridge were to co-operate or take part in the discussion of this Bill, because as it was exclusively adapted to one University it placed the members of the other University in a position of considerable difficulty and embarrassment—Cambridge men who discussed the Bill could not be quite sure whether they were intruding upon their Lordships or not.

The Earl of CAMPERDOWN said, that the speech of the noble Marquess in introducing the Bill might be regarded as an indication of what he would do if he were a Commissioner. It was, however, within the bounds of possibility that they might see the noble Marquess in the position which he had before taken up—namely, of asking their Lordships not to confirm some statute made by the Commissioners. They were made practically supreme over the Colleges, and might deal as they saw fit with the funds, subject to an appeal to Parliament. The Colleges would be placed under this Commission in quite a different position from that they were in under that of 1852. Under the Act of 1854 power was reserved to the Colleges of which they were now deprived. He quite granted that it was necessary to give large powers to the Commissioners, not less than that a Commission should be appointed, for he could not but remember that all Colleges were not alike. Still, many of the most valuable reforms that had been made of late years had proceeded from the Colleges themselves, not from the University; and it was equally desirable to defend and protect the interests of those Colleges which had exerted themselves in the interests of learning and education, as that the Commissioners should have power to deal with those Colleges which had not shown equal zeal. With regard to what were called "idle Fellowships," he was at Oxford when close Fellowships were in the course of being thrown open, and he could bear testimony to the great incentive thereby offered to those studying at the University, and how many had expressed their wish that they had come to the University some years later, as they would then have participated in the advantages of being able to compete for Fellowships. With due limitations as to the term during which they might be held, and abolishing the absurd condition of celibacy, it was essential that a certain number of open non-residential Fellowships should be retained. He was glad to hear the assurance of the noble Earl (the Earl of Carnarvon) that the Government did not design any retrograde steps—and he was sure that declaration would be received with great satisfaction at Oxford. He heard with pleasure the categorical statement that there was no intention to re-impose religious tests—because there were two or three clauses under which the Commissioners might have attached clerical conditions to any office they created or changed. He should like to hear in what condition the Colleges would be placed between now and 1883, with reference to the making of statutes which referred to matters other than financial. He wished also to ask whether, as soon as the Commissioners had ceased to exist in their capacity of Commissioners, the Colleges would revert to their original power with respect to the alteration and amendment of statutes—except with reference to those statutes made by the Commissioners.

THE MARQUESS OF SALISBURY: Hear, hear.

THE EARL OF CAMPERDOWN: If he rightly understood that answer, it was just the answer he wished to receive. The Bill was essentially one for Committee, and he hoped plenty of time would be given for the consideration of it. It proposed to confer very large powers upon unknown Commissioners, who would have to deal with funds drawn from all the Colleges, and it was desirable there should be some preliminary inquiry before those revenues were placed unconditionally in their hands. He could not concur in the unqualified eulogium which had been passed upon the Governing Body of the University, which had conferred less on the University than the Colleges, one of which had unattached students a year before Convocation recognized them. The Bill could only be regarded as a partial reform, for since 1871 more than one College had expressed opinions adverse to clerical headships and had declared that the University ought to be free and open to all.

THE EARL OF AIRLIE said, he listened with attention to the most rev. Primate when he stated he had received a Memorial from his College in favour of the Bill; but when he saw the four pages of objections contained in the Memorial, he could not help thinking that if the Bill was altered in accordance with those objections very little of the original measure would be left. He did not think there was any precedent for investing Commissioners with such large and undefined powers. The Bill of 1854, although it was destructive while this was constructive, was more precise and definite in its instructions, and the Preamble of the Endowed Schools Act stated the objects which the Commissioners were to set before themselves. The Bill empowered the Commissioners not only to deal with the surplus funds of the Colleges, but also to make radical changes in their constitution and to take large endowments from them and vest them in the University. He (the Earl of Airlie) admitted that Fellowships of £200 or £250 a-year were rewards too large for merely passing an examination, and that the numbers of students at some of the Colleges did not correspond with their funds; but the Bill must be read in the light of the speech with which the noble Marquess introduced it. He proposed to take £55,000 a-year from the Colleges and devote it to the University. For building purposes he required £200,000; and, as £12,000 or £14,000 a-year would give him that capital sum, he proposed to expend the surplus in augmenting the salaries of Professors and founding new Professorships and endowments for research. He had the advantage within the last few days of conversing with some very eminent men connected with the University of Oxford as to the proposal for the abolition of the "idle Fellowships," and he was informed by the highest authorities on the subject that the opinion of the University was opposed to anything of the sort. The students who had gained their Fellowships as the reward of their industry were a most valuable element in the Governing Body of the University, and, if these Fellowships were suppressed, scholarship and learning would in all probability decay. Besides, if these Fellowships were swept away, and if the Fellowships of Cambridge were not dealt with, schoolmasters would advise all clever young men to go to Cambridge, and the source from which we derived our best tutors would be dried up. He quite concurred in what had been said by the most rev. Primate as to the caution which should be exercised in expending so large a sum of money in founding new Professorships. He thought it would be better to leave the matter to the internal action of the University itself, and to appoint assistant Professors when needed rather than create new Professorships which it would be difficult to fill with competent men. They could have special grants for a limited time for particular purposes. They must be careful, while abolishing sinecure Fellowships, not to substitute for them sinecure Professorships. He wanted to know whether there was any provision in the Bill to change the present mode of appointing Professors? He did not think anyone would defend their appointment by Convocation. The Bill did not touch the constitution of the University; but the 16th clause empowered the Commissioners to deal as they pleased with Fellowships, and the Fellows were the governing body of the Colleges; therefore, they had the power to make what changes they liked in the constitution of the Colleges. The Bill gave them power to make statutes for the Colleges, and those statutes could not be altered without the consent of the University. The noble Marquess the other night took credit to the University for the reforms it had initiated. The University, he said, had initiated the new system of unattached students; but that was altogether erroneous, and did not do justice to the Colleges themselves. The initiative with respect to unattached students was taken by Balliol and other Colleges—in fact, when the proposal was made the University refused to sanction it. It was said by those conversant with the matter that the Colleges were more willing to make necessary changes than the University, as might be expected from the constitution of the two. As to the Convocation, either the Colleges ought to retain the right to manage their own affairs, or if the University were allowed to interfere in the affairs of the Colleges, there ought to be a substantial reform in the constitution of the University. With respect to the headships of Colleges, why should they be excepted from any changes? Under the Act of 1854 the Commissioners were allowed to deal with the headships; and if it was expedient to do so then, it was the more necessary that they should now, when the Colleges were being deprived of a large part of their funds, so as to throw open all the prizes to the best men. If lay Fellowships were suppressed, the proportion between lay and clerical in the Governing Body would be disturbed. Taking the provisions of the Bill separately, he thought that if the emoluments of the Professorships were increased, Convocation should not be allowed to appoint; secondly, that it was not expedient to sweep away all idle Fellowships, though it might be desirable to limit their duration to seven years, and probably to reduce their amount; thirdly, that the University should not be allowed to interfere in the internal affairs of Colleges unless the constitution of the University itself was reformed; and, fourthly, that the Commissioners should have power, as under the Act of 1854, to deal with headships. He understood that the University had appointed a Committee to consider this Bill, and it would be a great assistance to their Lordships, before they went into Committee on the Bill, to know what were the recommendations of that Committee; and therefore he thought that some time should be allowed before they went into Committee, so that their Lordships might have time to ascertain the views of the parties interested, and to send down to the other House a carefully considered measure.

THE MARQUESS OF SALISBURY: My Lords, the noble Lord who expressed himself as much interested in the University of Cambridge said, he regretted that the Bill dealt only with the University of Oxford, and that the Bill with regard to the University of Cambridge might come on rather late in the Session. I think that if the second reading of the Bill with reference to Cambridge University should come on in August there will then be as many Members in the House as there are present this evening. Under these circumstances I hope that I shall be pardoned if I am brief in dealing with the subject that has been brought before the House, and do not attempt to keep in bonds the "fugitive slaves" here. There is a great desire to get away, and therefore I will not dwell much on the subject. I have no occasion to do so, because I am sure I could have no reason to complain of the most rev. Primate, who spoke with high authority and his peculiar experience; and I think that every noble Lord who has spoken on the Bill—those included who are most opposed to us in politics—dealt with it in a candid and friendly spirit. I do not deny that many of the suggestions that have been made are worthy of consideration; but most of them are most suited to be dealt with in Committee, and it is hardly necessary to discuss them now. I entirely agree with the noble Duke opposite (the Duke of Cleveland) that it would be very undesirable that the Commissioners should lend their authority to any extensive scheme of borrowing by the University or Colleges for the purposes of the Bill. There was one remark of the most rev. Primate which I do not quite understand, or with which I do not concur—the illustration he gave of the difficulties thrown in the way of poorer students of obtaining an University Education. But that remark is certainly not correct, as far as concerns this Bill; for to those who are not strictly poor the Bill as it stands contains ample means of giving them the benefits of the University. I think the most rev. Primate will see that the 17th and 18th clauses empower the Commissioners to extend scholarships to either attached or unattached students as they may think good. Passing from mere detail, I think the general complaints in this debate have been in reference to the vagueness of the Commission and the power of the Commissioners to be appointed. Of that difficulty I am well aware; but I think it will be found that it is no special reproach to this Bill, but is equally a reproach to all Bills setting up a machinery of this kind which Parliament has recently passed. The Act of 1854 gave the Commissioners almost unlimited power. The Endowed Schools Commission is another case in point. Parliament in granting Commissions of this kind has found it necessary in these days to give them large jurisdiction. In this case there was more reason for doing so than in any other, because the Bill gives the Commissioners, I believe, no greater powers than are already possessed by the Colleges themselves. The only difference between the machinery of this Bill and the existing state of things is this—that some kind of security is given by the Bill that those powers should be exercised on a common plan; but as matters stand now they are exercised by different bodies without any concert between them. It is therefore not correct to talk of the extraordinary powers of the Body to be appointed. No doubt, those powers will be very great, and it may be well to introduce some provisions in that respect; but any such words must be carefully guarded. I think we shall find that what the Bill does is large enough to effect the object we have in view, and it is no use to attempt to cover a larger field than the legislation is intended to deal with. I do not entertain the illusory hope that the Bill will be a final effort in the direction of University reform, because we know well enough that as long as there is money to be applied, machinery to be used, and privileges to be obtained, there will always be people to agitate for a share in those advantages. The idea, therefore, of any Bill which would settle the question is a delusion. We have now simply brought in a Bill to enable the Commissioners to deal with the University and Colleges within a distinctly defined area—within that area they will have abundant power, but the area itself will be small. There is only one other subject to which I think it is necessary that I should allude before I sit down, and that is one which has aroused much interest both here and outside. I mean the religious question. It has been insinuated several times, both out-of-doors and here, that we are desirous of taking advantage of the change of Government to retrace the steps which Parliament has deliberately taken on the subject of religious tests in recent years. I wish to remove all grounds for fear of that kind. However much we may at the time have contested the wisdom of the policy which Parliament thought fit to pursue, we do not think, and we never have thought, that it would be consistent with the continuity of Government that we should take advantage of a change of political fortune to reverse decisions which Parliament deliberately arrived at in former years. That is the principle which we have adhered to in other matters, and it is one which we intend to adhere to in reference to ecclesiastical and University subjects. Our desire, in bringing forward this Bill, is that as regards ecclesiastical matters the precise *status quo* should be preserved. We do not intend to carry forward any further the process of separating the Universities from the Church; but we do not desire to retrace any step that has already been taken. We desire that matters in that respect shall, after this Bill has passed, remain precisely as they were before; and therefore, if there is in this Bill any clause which can legitimately and reasonably give rise to apprehensions that the policy of the University Tests Act is to be reversed we shall be glad to review it in Committee. The particular clause which has been referred to was put in for this reason—a fear was entertained, rightly or wrongly, that if the clerical Fellowships or endowments were touched by the Commissioners it would make them new clerical Fellowships, and then they would be swept away by the Tests Act. We should be very sorry if the proportion of clerical Fellowships should be diminished; but we do not uphold them any more than the other Fellowships free from the conditions that the others are to be subject to. Without attempting to use any language that will fetter the Commissioners in their action, or attempting to express the precise form or result of their action, I entertain a hope that the clerical Fellowships will be maintained and that the policy of the Tests Act, not only as expressed by its 1st, 2nd, and 3rd clauses, but as expressed in its 5th clause—which enacts that education in the tenets of the Church shall be given to all members of that Church in the University—will be followed strictly. In all these matters I trust we may escape what may be called the clericophobia which affects the most amiable and most capable minds, and which distorts all their judgment. Congregation has been objected to simply because it contains a number of curates who reside in the University of Oxford; and there is a desire also to dissociate headships from clerical matters. On the other hand, when men are defending "idle Fellowships" they declare the importance of the connection between the outside world and the Governing Body of the University; and when they are dealing with Congregation they dilate upon the absurdity of allowing the outside world to have anything to do with it. I am afraid that the only solution of this contradiction is, that in the one instance the connection is clerical and in the other it is not; or, if you prefer it, that the connection in the one case is Conservative and in the other is Liberal. For my own part, there seems to me to be an obvious reason why the connection between the government of the University and of the outside world is more reasonable and does less injury than these "idle Fellowships," and that is, that the outside vote in Congregation is only a small fraction of the whole vote, whereas in the government of Colleges it is much larger. But we do not wish to alter the government of the Colleges or of the University. We certainly do not propose to increase any restrictions or to impose any which do not now exist; but we earnestly hope to carry out the policy so eloquently sketched by the most rev. Primate, and to continue that connection between the University and the Church which has given so much piety to the University and so much learning to the Church.

EARL GRANVILLE said, he failed to comprehend why if the two Universities were to be dealt with in the same manner, they had not been dealt with in the same Bill; and if they were to be dealt with differently, he thought the full scheme should be laid before the House before it was called upon to determine how either of the Universities was to be treated. The debate had been a very remarkable one, and had been most creditable to the University, inasmuch as the burden of the discussion had been borne by those who had been its first-class men; but, nevertheless, very little information on the subject had been given to the House. He did not complain of the reticence of the noble Marquess (the Marquess of Salisbury), for it would have been impossible for him to have accepted *en bloc* all the suggestions which had been made — though he gathered that they were to receive the fair consideration of Her Majesty's Government. Several suggestions had been made, but the wind had been so completely taken out of his sails by the noble Lords who had preceded him that he should not refer to them at any length. There were one or two points, however, which he wished to bring to the attention of the noble Marquess before the Bill was read the second time. In the first place, he did not think that the delegates of the Colleges were the best persons to carry out reforms of particular Colleges. Delegates from three of the Colleges in the University might take different views of the matters brought before them; and he was by no means clear, from the proposals contained in the Bill, how the delegates were to be appointed. If the delegates were to vote as they pleased, he doubted, in the first place, whether many men would care for the appointments; and, in the second place, whether the Colleges themselves would care to delegate such plenary powers. He had been pleased to hear the noble Marquess say, with regard to the manner in which Her Majesty's Government proposed to deal with the religious aspect of the question, that it was not intended in any way to go back, nor to take any steps which could have the effect of further separating the University from the Church. After making this statement the noble Marquess used some remarks about the anti-clerical feeling which existed on the Opposition side of the House. He did not think there was any ground for imputing such a feeling to them—and, indeed, the imputation was neither made in good taste nor warranted by facts. The noble Marquess alluded to certain prejudices which would wear out in time; but if he (Earl Granville) was not mistaken, the only prejudices to which objection could be taken existed in the minds of a party in the State other than that to which he (Earl Granville) belonged. The noble Marquess had chosen to treat the objections raised against the constitution of the Congregation of the University as having been directed against certain resident curates in the City of Oxford who, having left the University, acted as members of Congregation, in opposition to the views of those members of the University who were actually engaged in the work of teaching. This interpretation he denied. The objection which had been raised to the present constitution of the Congregation of the University was not directed against any body of curates, whether resident in Oxford or elsewhere, but was aimed at the constitution of a Governing Body which admitted of persons neither resident nor engaged in the work of the University holding in their hands the power to thwart the views or those most interested in the matter. He understood it to be the intention of the Government to maintain the clerical restrictions in reference to the Heads of Colleges. He believed this decision to be a most unwise one. He had heard it stated that the parents of England would not like to trust their sons to the care of Heads of Colleges who were not clerics; but he attached no weight to the statement. He believed that a great many parents would prefer to entrust their sons to a College of which the noble Marquess opposite was the Head, rather than one under the headship of a clergyman who, however amiable and excellent, did not possess the qualities fitted for the headship. Take the case of a College where there was a layman eminently fitted to become its Head, while among the clerical members there was no one equally well fitted for the position—would it be said that they were advancing the cause of the Church or of education by preventing the superior man being chosen? He said this with the more confidence because he believed a little dash of despotism was an advantage rather than otherwise in the Head of a College. What he wanted was that the best men, whether clerical or lay, should be selected; and he agreed that this was the more likely to be done, even with the clerical restriction, by means of a system which would preclude the almost absolute certainty of the Head of a College being chosen from among the Fellows of his College, without any special reference to his fitness for the position. It had been said that there was a great objection to dragging the Universities so constantly into Parliamentary discussions, and it was because he believed this that he hoped the noble

Marquess, as Chancellor of the University, would consider the various suggestions that had been made, in order, if possible, to settle the question at once, and, as finality was out of the question, for the present at any rate, in such a manner as that it would not be necessary to bring the matter within the limits of Parliamentary and, perhaps, acrimonious discussion for many years. The criticisms from that side of the House had not been made in a hostile spirit, and the noble Marquess might count on the co-operation of his various critics in any attempt to make the Bill as perfect as was possible under the circumstances.

On Question, That the words proposed to be left out stand part of the Motion? *Resolved* in the *Affirmative*.

Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* the *30th instant*.

House adjourned at half past Ten o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 9*th March*, 1876.

MINUTES.] — Select Committee—Depreciation of Silver, *nominated;* Parliamentary and Municipal Elections, Mr. Charles Lewis and Mr. Cotes *added;* Oyster Fisheries, *nominated*.

Supply—*considered in Committee*—Army Estimates—*Resolutions* [March 6] *reported*.

Public Bills — *Ordered* — *First Reading* — Mutiny *.

Second Reading — Royal Titles [83]; Cattle Disease (Ireland) * [94].

Committee—Burgesses (Scotland) * [48]—R.P.

Committee—*Report*—Telegraphs (Money) * [90].

Report—Manchester Post Office * [72-100].

Considered as amended—County Palatine of Lancaster (Clerk of the Peace) * [53].

Third Reading—Council of India (Professional Appointments) * [69], and *passed*.

SOUTH EASTERN RAILWAY BILL.

(*By Order*.)

SECOND READING.

Order for Second Reading read.

Mr. FIELDEN, in moving that the Bill be now read a second time, observed, that of late a practice had been growing up of rejecting Private Bills upon the second reading. He should be sorry to advocate any restriction of the right to reject Private Bills upon the second reading; but, still, it was a right that he thought ought to be most carefully exercised. He was himself a Director of the South-Eastern Railway Company, which company proposed by this Bill to acquire power to enlarge their station at Charing Cross, because the traffic had so increased that the station was no longer large enough to enable them to deal with it. It could not be doubted or denied that additional accommodation at Charing Cross would not only be a great convenience to persons arriving from the Continent, but also to the hundreds of thousands of the inhabitants of the metropolis who used the station daily. He could understand that the hon. Member for Westminster (Sir Charles Russell) might have some objection to the way in which this was to be carried out; but he could not understand why on this account he should wish to reject the whole Bill, which contained several other provisions. It proposed that the South-Eastern line should be extended from Sandgate to Folkestone, and that the harbour at Folkestone should be enlarged. It was intended not merely to make a railway in England, but to improve the communication between this country and the Continent of Europe. The Company had for the last 10 years been in communication with the French Government and the authorities at Boulogne, with the view of bringing about a better communication between England and France; and had met with delay after delay. It was not until the wreck of last year blocked up the harbour for about a fortnight that the Boulogne authorities were brought to their senses; but now they were almost agreed as to forming a large harbour at Boulogne. The railway authorities could not improve the channel passage unless they had bigger boats; and they wanted more harbour accommodation, so that they might put on boats of the size of those which ran between Holyhead and Kingstown. In this way they hoped to shorten the journey between London and Paris by half an hour. If, however, the House should reject the Bill, the Company would be relieved from a great trouble and anxiety, and they would have the satisfaction of saying that they had done all that they could, but that the House of Commons would not listen to them.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Fielden.*)

SIR CHARLES RUSSELL said, he was not a railway director, nor in any way interested in that Bill, except in so far as it affected his constituents. He opposed the second reading, and held it to very important that hon. Members should assert their right to do so. At a quarter to 4 that afternoon the solicitor who was guarding the interests of his constituents told him that the promoters of that Bill were ready to surrender all that was objected to in it provided he would withdraw his opposition to the second reading. That proposal had taken him completely by surprise, and he had accordingly asked the other side to postpone the Bill in order to give him time for consideration; but they had refused to do so. The reason his constituents looked on the Bill with distrust was this. On a previous occasion of a similar kind they were served with notice that their buildings would be required for certain alterations, and after they had been at the trouble and expense of acquiring other premises, the railway company abandoned their scheme and left them to seek what compensation they could find. He was aware that Committees of the House could inflict penalties in such cases; but he would appeal to the House to say whether those penalties were ever enforced? He had no desire to prevent any improvement of the harbour at Folkestone. In the hope that the House would aid him in gaining time to see that the proposed arrangement was fair to both parties, he begged to move that the debate on the Bill be adjourned for a week.

MR. RAIKES said, that with the view of eliciting full information with respect to Private Bills, he was in the habit of bringing about a conference between the agents of both sides; but in the present case the agents, for some reason or other, had not met him, and he was, therefore, without the information which it was desirable the House should have. The present Bill, so far as he had been able to judge, was one of considerable importance, both from a public and private point of view; and in the circumstances he thought it would be well to adjourn the debate.

MR. KNATCHBULL-HUGESSEN protested against the further postponement of this Bill for a week. The hon. Baronet (Sir Charles Russell) had confined his opposition to one part of the Bill alone. Upon that part the South-Eastern Railway Company had conceded, and they were now asked to postpone their Bill, because they had made the concession which was asked. If there were no other secret reasons for opposing the Bill, for which the opposition of the hon. Baronet was the shield and pretext, his demand was really unreasonable. If the House wished to revert to the old system, and would hear evidence at the Bar of the House, it could of course do so; but, otherwise, he (Mr. Knatchbull-Hugessen) would pledge himself to make such a statement to the House as should convince every reasonable man that this Bill was one which should be sent to that Tribunal to which the House ordinarily delegated its functions in these cases—namely, to a Select Committee. He was too old a Member of the House to oppose the expressed opinion of the Chairman of Committees (Mr. Raikes) and the evident feeling of the House; but he suggested that an adjournment for a week was unreasonably long, and that the matter might stand over only till Monday.

MR. RAIKES said, he scarcely considered the Motion of the hon. Baronet (Sir Charles Russell) a hostile one, and advised the right hon. Gentleman to accept it. The adjournment until Thursday next would not materially delay the measure.

Motion *agreed to.*

Debate *adjourned* till *Thursday* next.

EAST INDIA ARMY—SUPERANNUATION, &c. ALLOWANCES.

QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, Whether the Return for the East India Army, showing the total amount of Military Charges, does not omit a charge of upwards of half a million sterling per annum paid on account of the various military funds and other charges included in the head "Superannuation, Retired, and Compassionate Allowances;"

and, if so, whether he will amend the Return so as to show all charges on account of the Army in India?

Lord GEORGE HAMILTON: No charge has been omitted from the Return alluded to. The position of the military and medical funds is as follows:—In 1862 the Government of India found that a heavy annual charge was imposed by certain funds established by the East India Company upon the revenues of India, and they wound these funds up, taking over their assets and liabilities, the former of which consisted of a large capital. The annual payments on behalf of these funds exceeds the subscriptions, and the difference is made good out of the capital taken over, which now stands at the high figure of £1,800,000. There will be no charge for some years to come. The funds established in the place of those abolished, are self-supporting.

THE NATIONAL BANK OF EGYPT.

QUESTION.

Sir GEORGE CAMPBELL asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have entertained any proposal for taking part in an arrangement to enable the Khedive of Egypt to raise new loans, and charge them on the people of Egypt?

Mr. BOURKE: In reply to my hon. Friend I have to state that the Answer given by the Prime Minister on Monday last substantially covers the whole ground involved in the Question of my hon. Friend, and, therefore, I cannot give him any other information than that conveyed in the Answer of the Prime Minister, to which I must refer him.

Sir GEORGE CAMPBELL: I beg to give Notice that I will take the first convenient opportunity of moving—

> "That it is inexpedient that the British Government should take any part in facilitating the loan transactions of the Khedive of Egypt."

MERCHANT SHIPPING ACTS—THE LOAD LINE RETURNS.—QUESTION.

Mr. WILSON (for Mr. Mac Iver) asked the President of the Board of Trade, Whether it is true that loss of life from the foundering of steamers in the Bay of Biscay during the few months since legislation relating to the marking of a load line has been in force shows a marked diminution, as compared with any corresponding period in previous years?

Sir CHARLES ADDERLEY: I have Returns for the half-year which has elapsed since the adoption of the load line, and Returns for the corresponding period of the preceding year, in relation to disasters happening in the Bay of Biscay. From November 1, 1874, till February 28, 1875, six steamers were lost in the Bay of Biscay, involving the loss of 175 lives; from November 1, 1875, when the use of the owner's load line was begun, till February 29 of this year, two steamers were lost in the Bay of Biscay, involving a loss of 26 lives. I have good reason to believe that the use of the load line has materially contributed to this gratifying diminution in the loss of life and property at sea.

THE ACCIDENT TO H.M.S. "SERAPIS"—CHAIN CABLES.—QUESTION.

Mr. BENTINCK asked the First Lord of the Admiralty, If he would state to the House what was the size of the chain cables which were supplied to H.M.S. "Serapis" before she left England on her last voyage, and by whom those chain cables were supplied; also what was the weight and the description of the anchors supplied at the same time to H.M.S. "Serapis," and by whom those anchors were supplied?

Mr. HUNT, in reply, said, the size of the chain cables supplied to the *Serapis* was 2½ inches. The cables were provided for the ship by the Thames Shipbuilding Company, and were manufactured by Messrs. H. Wood and Co., of Liverpool, and were tested in the usual manner for Admiralty cables. The length next the anchor, which was where the parting took place in the Piræus, was not part of the original cable, but was substituted at Portsmouth in 1869; it was 2¼ inches, and made by Messrs. Brown, Lenox, and Co. This length was tested at Portsmouth before the *Serapis* left for India in 1875, and a defective link was replaced. The broken link has been returned to the Admiralty, and had been examined and found to be of good quality of iron and well welded. The anchors were 60 cwt. each on Rodgers' plan. They were manufactured by the

Northfield Company, and were tested and fireproved by an Admiralty officer.

CRIMINAL LAW—DISPROPORTIONED SENTENCES.—QUESTION.

MR. JAMES asked the Secretary of State for the Home Department, If his attention has been called to a paragraph in "The Pall Mall Gazette" of Saturday the 4th instant, copied from "The Liverpool Post," in which it is stated that a woman was recently sentenced at Oswestry by the local Justices to twenty-one days' imprisonment for stealing one pennyworth of coal; if such statement is correct, and whether it is his intention to take steps for the mitigation of the sentence?

MR. ASSHETON CROSS, in reply, said, his attention had been called to the case, and he found from inquiries made of the Clerk of the Justices that information had been given to the magistrates that the person in question was the wife of the gardener of the prosecutor, and supposed to be, therefore, in tolerably good circumstances. It was also stated that she had been seen carrying away the coal, and that in the night time, by some one who had watched expressly for the purpose of finding out what was being done. He had asked to be furnished with further information on the matter.

MEDICAL DEGREES—"CONJOINT EXAMINATIONS."—QUESTION.

MR. ERRINGTON asked the Vice President of the Council, If he will state whether Her Majesty's Government intend taking any steps this Session to hasten or facilitate the adoption of the "Conjoint Scheme" in examinations for medical degrees?

VISCOUNT SANDON: The Government has reason to believe that as regards England considerable progress has been made towards settling the basis of an arrangement which is likely to receive general assent. We have not the like information respecting Ireland and Scotland; but if satisfactory arrangements are concluded in England, I cannot but hope that they will lead to a like result in the other parts of the United Kingdom. In this state of the case the hon. Gentleman will understand that I cannot give any opinion as to what may be the views hereafter of Her Majesty's Government as to the expediency or necessity of proposing legislative measures to promote or hasten the general adoption of the conjoint scheme.

ARMY—VOLUNTEER ADJUTANTS.

QUESTION.

MR. BROGDEN asked the Secretary of State for War, If it is intended to give the same retiring allowances to old Adjutants of Volunteers as are now given to Militia Adjutants; and, if it is intended to give any additional pay to Volunteer Adjutants who perform the duties of District Recruiting Officers as a remuneration for such services?

MR. GATHORNE HARDY, in reply, said, it was not intended to increase the retiring allowances of old Adjutants of Volunteers, and that no old Adjutants except those on full pay, or who came under the five years' rule, would be called upon to discharge the duties of recruiting officers.

WEST AFRICAN SETTLEMENTS—CESSION OF THE GAMBIA.

QUESTION.

MR. A. M'ARTHUR asked the Under Secretary of State for the Colonies, Whether he has received a Memorial against the proposed cession of the Gambia, from 228 Native inhabitants of Bathurst, dated December 31st 1875; whether this document gives the status in the Colony of the persons signing it; and, whether he will lay the same upon the Table of the House?

MR. J. LOWTHER, in reply, said, the Memorial referred to by the hon. Gentleman had been received at the Colonial Office. It purported to be signed by about 250 individuals; but he was unable to say how many persons' views were really represented in it, inasmuch as a great many of the signatories appeared to have signed their names twice over. The document gave the *status* of the persons signing it, and it would be laid on the Table.

POST OFFICE—POSTAL TELEGRAPH SERVICE—THE ROYAL ENGINEERS.

QUESTION.

MR. ANDERSON asked the Postmaster General, If his recommendation for the withdrawal of the Royal Engineers from the Postal Telegraph Service "on financial grounds," contained in his letter of the 23rd December lately laid upon the Table of the House, was founded on any Report on the financial results of that employment made by the Receiver and Accountant General of the Post Office; and, if he will lay upon the Table of the House, any Report that has been made by that official on the subject?

LORD JOHN MANNERS, in reply, said, that his letter was not founded on any Report on the financial results of the employment of Engineers in the Postal Service made by the Receiver and Accountant General of the Post Office. That Report was of a confidential and departmental character, and he did not think that it would be for the public interest to lay it on the Table of the House.

WORKHOUSE SCHOOLS (IRELAND). QUESTION.

MR. O'CLERY asked the Chief Secretary for Ireland, for a Return of the number of Boards of Guardians in Ireland who have given results fees to their Workhouse Teachers, distinguishing those who gave such fees prior to the passing of the National Teachers Act; Whether it is the intention of Her Majesty's Government to give effect to such Act as far as Workhouse Teachers are concerned; and, if so, are they to receive the fees earned for last year; and, whether the Commissioners of National Education have withdrawn the gratuities hitherto awarded to Workhouse Teachers; and, if so, upon what grounds, and what compensation is intended in lieu thereof.

SIR MICHAEL HICKS-BEACH: Twenty-eight Boards of Guardians in Ireland, or about that number, have given results fees to their workhouse teachers under the Act of last Session, out of which 11 Boards had done so before the passing of that Act. But this does not represent the full effect of the Act upon the condition of the workhouse teachers, because in several instances Boards of Guardians have preferred to increase the salaries of their teachers, when asked to grant them results fees under the Act. It rests with the Boards of Guardians, and not with the Government, to give effect to the Act as far as workhouse teachers are concerned; the teachers will receive the fees earned by them in the year for which the Guardians have agreed to vote them. The Commissioners of National Education have decided to withdraw a small sum of £360 annually spent in gratuities to 40 male and 40 female workhouse teachers. They have done so because this system of gratuities appeared objectionable, and by it the teachers were unnecessarily placed under the Board of Education as well as under the Local Government Board. The whole body of workhouse teachers will receive a far larger sum annually from result fees than the amount thus withdrawn.

CRIMINAL LAW—THE TICHBORNE CLAIMANT.—QUESTION.

DR. KENEALY asked the Secretary of State for the Home Department, Whether he will lay upon the Table of the House, a Copy of the Petition of the Tichborne Claimant, addressed to him on the 4th June 1875, containing certain complaints of bad treatment endured by him in Dartmoor Prison, together with a Copy of the Reply, if any; and of any other or further Petition or communication addressed to him by the same gentleman since the said 4th of June, with his answer thereto?

MR. ASSHETON CROSS: The only Petition that reached me was one dated on the 4th June; it reached the Home Office on the 14th June, but like all other Petitions for mercy from prisoners, for reasons which may be very well guessed at by hon. Members, and in behalf of the interests of prisoners themselves, it never has been the practice of the Secretary of State to lay such Petitions on the Table. But if the hon. Member wishes to see it, and will call at the Home Office, I shall have great pleasure in giving instructions that he shall see it.

CRIMINAL LAW (SCOTLAND)—CASE OF THE "AMELIA."—QUESTION.

MR. GRIEVE asked the Lord Advocate, Whether his attention has been called to the conduct of the Crown authorities at Greenock, consequent on the collision of the "Amelia" with the quay, whereby one man was killed, on which occasion the pilot, having been precognosced by the Procurator Fiscal, was afterwards called by the Solicitor representing the Board of Trade, and gave evidence at an inquiry, without being cautioned or warned, and was immediately afterwards committed, at the instance of the criminal authorities, on a charge of culpable homicide; and, whether he will take steps to prevent one public Department inducing a man to give evidence on which another Department may commit him for trial, in accordance with the declaration of the President of the Board of Trade, who recently, in the case of the "Strathclyde," stated that no official inquiry could take place until the criminal trial consequent on the verdict of the coroner's jury had been completed?

The LORD ADVOCATE: I have made inquiries into the circumstances referred to in the Question of the hon. Member for Greenock. It appears that on the 20th January last the steamer *Amelia* came into collision with the quay at Greenock, when one man was killed and another injured. A Board of Trade inquiry was ordered, and took place on the 3rd and 4th February. The master of the steamer, Captain Campbell, and the pilot, James Hendry, were examined as witnesses by the solicitor for the Board of Trade. I have no doubt it is correct that neither of these persons was cautioned or warned by the presiding justices, of whom I understand the hon. Gentleman himself was one. The result of the inquiry was that the master was admonished, but his certificate was, under the circumstances, returned to him. The Court of Inquiry had no jurisdiction over the pilot, who was a river pilot, and they did not deal with him. At the conclusion of the inquiry, a charge of culpable homicide was made by the Crown authorities against the pilot, and the investigation is still going on under the directions of Crown counsel. The proceedings were not taken in consequence of the evidence given at the Board of Trade inquiry, and if a trial takes place that evidence cannot be, and certainly will not be, used against the pilot. I cannot, however, give any undertaking that if a Board of Trade inquiry takes place in regard to a casualty involving loss of life, the magistrates presiding at which had no jurisdiction to inflict any or adequate punishment upon the persons responsible for such casualty, I shall hold myself, as public prosecutor, precluded from taking the necessary steps for having these persons tried before the ordinary criminal tribunal. I regret that the pilot was not warned or cautioned when he gave his evidence at the Board of Trade inquiry; but that was an omission for which the Crown authorities were not responsible, and of which they certainly will take no advantage.

EDUCATION—LEGISLATION.
QUESTION.

Mr. MUNDELLA said, that as there were already two Education Bills before the House and two Notices of Motion respecting them, he thought it desirable to ask the Vice President of the Education Department, If he will state to the House when he proposes to bring in the Education measure mentioned in the Queen's Speech?

Viscount SANDON, in reply, said, he was sorry to be unable to give an answer to the Question; but in the present state of Public Business it would be obvious to the House that it would be impossible at present to name a day when the measure referred to would be brought forward.

INDIA TARIFF ACT, 1875.—QUESTION.

Mr. FAWCETT asked the Under Secretary of State for India, Whether any reply has been sent by the Government of India to the Despatch of the Secretary of State for India, dated November 11th 1875, published in the Correspondence recently issued in reference to the India Tariff Act of 1875?

Lord GEORGE HAMILTON said, they had not received any reply.

METROPOLIS—HYDE PARK—THE SERPENTINE.—QUESTION.

Mr. PEASE asked the First Commissioner of Works, What is the object of the mounds of earth now being erected on the south side of the Serpentine; and, if he will state to the House what will be the cost of the mounds when completed and planted?

Lord HENRY LENNOX: In answer to the Question of the hon. Member for South Durham, I beg to inform him that what he calls "mounds of earth" will shortly be turfed and planted with flowering and other shrubs. The total cost of these shrubberies was stated at page 9 of last year's Estimates, but as the item probably escaped the notice of the hon. Member, I may as well tell him that the total cost was estimated at £750, of which £400 has been already voted, and the remaining moiety of £350 appears at page 9 of the Estimates now before the House. The object of these shrubberies being placed there was to meet a very general complaint made to me and in the Press that ladies riding and walking in Rotten Row were greatly annoyed by the abundant display of "nude bathers," who during the summer evenings disport themselves in great numbers on the banks of the Serpentine.

Mr. PEASE: In Committee I shall move to reduce the Vote for these shrubberies by £350.

ARMY (METROPOLIS)—SENTRIES.

QUESTION.

Mr. HAYTER asked the Secretary of State for War, How many of the sentries at the West End have been taken off; and, whether a corresponding reduction has been made in the strength of the Guards?

Mr. GATHORNE HARDY, in reply, said, that there had been some six or seven sentries taken off at the West End, which represented 18 men. In several of the Guards there had been reduction, but in others there had not; and, therefore, the total reduction in the Guards altogether amounted to nine men.

MERCHANT SHIPPING ACTS—SCURVY.

QUESTION.

Mr. WARD asked the President of the Board of Trade, Whether his attention has been called to the following statement in the "Times" of March the 7th: that

> "The bark 'William Wilson,' bound for Liverpool, arrived on the 6th March in Penarth Roads with eight of her crew down with scurvy. The captain and three officers only were able to work the vessel. The men state that they have been ill for the last two months, and that during the last three days the lime-juice and provisions were exhausted. They were landed and taken to the hospital ship. They are very much emaciated, and the recovery of some of them appears doubtful;"

what steps he proposes to take with regard to this matter; whether his attention has been drawn to the occurrence of scurvy on board the "Talisman," lately arrived in London; also to arrival in Liverpool of the "Black Prince" and "Duke of Northumberland" with scurvy on board, and to the arrival at San Francisco of several British ships with scurvy on board; and, whether it is the intention of Her Majesty's Government to make any new provisions for the prevention of scurvy in the Mercantile Marine?

Sir CHARLES ADDERLEY: The Board of Trade has received a Report from the Receiver of Wreck at Cardiff that the *William Wilson*, of Whitehaven, has put into that port with six severe cases of scurvy on board, and that the provisions and lime-juice were exhausted when the vessel arrived. The medical officer was instructed to proceed at once to Cardiff to hold an inquiry, and report. Another medical officer, Dr. La Trobe, is at present holding an inquiry into the case of the *Talisman*. In the case of the *Black Prince*, an inquiry was held. The Medical Inspector, Dr. Spooner, reported that the causes were dirty habits of the crew, bad water taken in at Bassein, and the use of cook's slush by the men. He also observed that scurvy increased where teetotalism was practised, and recommended a ration of spirits in such cases. The *Duke of Northumberland*, of Swansea, arrived at Liverpool with one case of scurvy, and no complaint was made; therefore, no inquiry. No new provisions for preventing scurvy have occurred to Her Majesty's Government. The penalties on shipowners for any default of precautions are ample. The provisions of the Act of 1867 have greatly reduced scurvy.

COOLIE IMMIGRATION FROM INDIA TO GUIANA.—QUESTION.

Mr. RICHARD asked the Under Secretary of State for India, Whether, with reference to the evils which, according to the report of our Consul in French Guiana attend the system of Coolie immigration from India to that Colony, it is the intention of the Government to continue to sanction the immigration in question; and, whether the remonstrances on the subject which, in the noble Lord's letter to the Aborigines

Protection Society of December 24th last, he stated Lord Derby had addressed to the French Minister for Foreign Affairs on November 1st have been answered; and, if so, will he state the purport of the answer?

LORD GEORGE HAMILTON, in reply, said, a reply from the French Foreign Minister was received on the 17th of December, 1875, in which the Duke Decazes stated that the observations of the Indian Government upon the condition of coolies in French Guiana applied to a state of things which did not now exist, and he forwarded a copy of a circular issued by the local Government of Cayenne on the 16th of September, 1874. This correspondence was sent to the Government of India. The question of suspending emigration rests with the Government of India; but in all probability, before taking so grave a step, it will await the Report of 1875 of Mr. Consul Wooldridge, now due, upon the treatment of Indian coolies in that colony for the year 1875.

NAVY—THE ROYAL MARINES—INCREASE OF PAY.—QUESTION.

MR. SHAW LEFEVRE asked the First Lord of the Admiralty, Whether the proposed increase of pay of two pence per diem to the soldiers of the Army is to be extended to the Marines; and, if so, whether it is to be immediate or reserved?

MR. HUNT, in reply, said, no decision had been come to on the subject.

ARMY—MODEL CAVALRY BARRACK. QUESTION.

MR. J. R. YORKE asked the Secretary of State for War, Whether he would have any objection to produce, for the inspection of Members, the Plans of the Model Cavalry Barrack for which Mr. Wyatt received a prize some years ago?

MR. GATHORNE HARDY, in reply, said, that if the plans designed by Mr. Wyatt 20 years ago would answer any useful purpose, he should have no objection to produce them. They were, however, drawn up irrespective of all the sanitary conditions recently introduced. They were made as far back as the year 1856, and even then it was said that of all the plans submitted in competition, not one could be recommended for adoption without alterations which would change its character and design. Therefore, he thought the production of Mr. Wyatt's plan would not afford the House any useful information.

CRIMINAL LAW—THE FENIAN PRISONERS.—QUESTION.

MR. M. BROOKS: I wish to ask the right hon. Gentleman the First Lord of the Treasury a Question of which I have given him private Notice — namely, Whether it is the intention of Her Majesty's Ministers on the auspicious occasion of an accession to the Royal style and title of Her Majesty to advise that that event should be signalized by the gracious exercise of the Royal mercy towards any prisoners now undergoing punishment for offences in connection with insurrectionary designs or breach of their allegiance to Her Majesty?

MR. DISRAELI: Mr. Speaker, the Royal Titles Bill, on the passing of which the act of mercy referred to in the Question of the hon. Member is, according to him, contingent, has not yet passed. When the Royal Titles Bill has passed into an Act, I shall then have the honour of answering the Question of the hon. Member.

PARLIAMENT — BUSINESS OF THE HOUSE—NOTICES OF MOTION. QUESTION.

MR. RITCHIE: I wish to ask you, Sir, a Question on a point of Order. I desire to know, Whether it is in accordance with Parliamentary usage that several Members should, in pursuance of an agreement among themselves, enter their names on the Notice Paper for giving one and the same Motion, in order that such Motion may be brought forward by any of the Members whose name is first called, and thus an undue priority be secured to such Motion?

MR. SPEAKER: According to the Rule of the House, a Member can only give Notice of one Motion, with a view to obtaining, under the Ballot, priority for such Motion. If several Members combine to enter their names on the Notice Paper, and to give Notice of one and the same Motion, that rule is practically evaded. Such a proceeding would be highly inconvenient, if not irregular; and, if persisted in, the House might feel it necessary to check such a proceeding by requiring each Member, when entering his name on the Notice Paper, to enter also the subject-matter of the Motion. I trust, however, that, if such a practice has existed, as has been indicated by the Question of the hon. Member for the Tower Hamlets, it has been through inadvertence; and that the House may rely on the good sense and the right feeling of hon. Members for the faithful observance of its Rule.

ROYAL TITLES BILL—[Bill 83.]

(*Mr. Disraeli, Mr. Secretary Cross, Mr. Attorney General, Lord George Hamilton.*)

SECOND READING.

Order for Second Reading read.

Mr. DISRAELI: Mr. Speaker, in moving that the Bill be now read a second time, I take the opportunity of noticing a Question which was addressed to me a few days ago by the hon. Member for Banbury (Mr. Samuelson). I thought at the time that the Question was unfair and improper. The Question was, whether I was then prepared to inform the House of the title which Her Majesty would be advised to adopt with respect to the matter contained in the Bill before us, and my answer was that I was not then prepared to give that information to the House. It appeared to me that that Question, as I ventured to remark, was unfair and improper, because, in the first place, on a controversial matter it required me to make a statement respecting which I could offer no argument, as the wise Rules of this House, as regard Questions and Answers, have established. I should therefore have had to place before the House, on a matter respecting which there is controversy, the decision of the Government, at the same time being incapacitated from offering any argument in favour of it. I thought the Question was improper, also, in the second place, because it was a dealing with the Royal Prerogative that, to say the least, was wanting, as I thought, in respect. Both sides of the House and the whole country agree in the view that we are ruled by a strictly Constitutional Sovereign. But the Constitution has invested Her Majesty with Prerogatives of which She is wisely jealous; which she exercises always with firmness, but ever, when the claims and feelings of Parliament are concerned, with the utmost consideration. It is the more requisite, therefore, that we should treat these Prerogatives with the utmost respect, not to say reverence. In the present case, if Her Majesty had desired to impart to the House of Commons information which the House required, the proper time would certainly be when the Bill in question was under the consideration of the House. It would be more respectful to the House, as well as to the Queen, that such a communication should be made when the House was assembled to discuss the question before them; and such information ought not to be imparted, I think, in answer to the casual inquiry of an individual Member. From the beginning there has been no mystery at any time upon this matter. So far as the Government are concerned they have acted strictly according to precedent, and it has not been in my power until the present evening to impart any information to the House upon the subject on which they intimated a wish to be informed. But, upon the first night, when I introduced this Bill, I did say, alluding to the Prerogative of the Queen and Her Majesty's manner of exercising that Prerogative, that I did not anticipate any difficulties on the subject to which the House had referred. To this point, in the course of the few observations I have to make this evening, I shall recur; but before doing so, I will make some remarks upon the objections which have been made to a title which it has been gratuitously assumed that Her Majesty, with regard to her dominions in India, wishes to adopt. It is a remarkable circumstance that all those who have made objections upon this subject have raised their objections to one particular title alone. One alone has occurred to them—which *primâ facie*, it may be observed, is rather an argument in favour of its being an apposite title. No doubt other objections have been urged in the debate, and I will refer to them before proceeding to the other part of my remarks. It has been objected that the title of Emperor or Empress denotes military dominion; that it has never or rarely been adopted but by those who have obtained dominion by the sword, retained it by the sword, and governed it by the sword; and, to use the words of a right hon. Gentleman (Mr. Lowe) who took part in the recent debate—"Sentiment clothes the title of Emperor with bad associations." Now, the House must at once feel what vague and shadowy arguments—if they can be called arguments—are these—"Sentiment clothes the title of Emperor with bad associations." [*Opposition cheers.*] I very much doubt whether sentiment does clothe the title of Emperor with bad associations. I can remember, and many hon. Gentlemen can remember, the immortal passage of the greatest of modern historians, where he gives his opinion that the happiness of mankind was never so completely assured, or for so long a time maintained, as in the age of the Antonines—and the Antonines were Emperors. The right hon. Gentleman may be of opinion that an Imperial title is a modern invention, and its associations to him may be derived from a limited experience of which he may be proud. But when so large a principle is laid down by one distinguished for his historical knowledge, that "sentiment clothes the title of Emperor with bad associations," I may be allowed to vindicate what I believe to be the truth upon this matter. Then a second objection was urged. It was said—"This is a clumsy periphrasis in which you are involving the country if you have not only Royal but Imperial Majesties." Now, the right hon. Gentleman who made the remark ought to have recollected that there would be no clumsy periphrasis of the kind. The Majesty of England requires for its support no such epithet. The Queen is not "Her Royal Majesty." The Queen is described properly as "Her Majesty." Therefore, the "clumsy periphrasis" of "Royal and Imperial Majesty" could never occur. There is, however, a stronger and more important objection which has been brought to the title of Empress, which has hitherto been merely assumed in argument. This greater objection I will place briefly before the House. It has been said that we diminish the supremacy of the Queenly title by investing Her Majesty, though only locally, with an Imperial dignity. Now, Sir, there appears to me to be a great fallacy in that position. I deny at once that you diminish the supremacy of the Queenly title, by investing Her Majesty, though only locally, with an Imperial dignity. I deny that any Imperial dignity is superior to the Queenly title, and I defy any one to prove the reverse. ["Hear!"] I am happy to have that cheer; but I hear and read every day of an intention to invest Her Majesty with a title superior to that which She has inherited from an illustrious line of ancestors. It is necessary, therefore, to notice this statement. In times which will guide us in any way upon such a subject I doubt whether there is any precedent of an Emperor ranking superior to a crowned head, unless that crowned head was his avowed feudatory. I will take the most remarkable instance of Imperial sway in modern history. When the Holy Roman Empire existed, and the German Emperor was crowned at Rome and called Cæsar, no doubt the Princes of Germany, who were his feudatories, acknowledged his supremacy, whatever might be his title. But in those days there were great Kings—there were Kings of France, Kings of Spain, and Kings of England—they never acknowledged the supremacy of the Head of the Holy Roman Empire; and the origin, I have no doubt, of the expression of the Act of Henry VIII., where the Crown of England is described as an Imperial Crown, was the determination of that eminent Monarch, that at least there should be no mistake upon the subject between himself and the Emperor Charles V. These may be considered antiquarian illustrations and I will not dwell upon them, but will take more recent cases at a time when the intercourse of nations and of Courts was regulated by the same system of diplomacy which now prevails. Upon this question, then, I say there can be no mistake, for it has been settled by the assent, and the solemn assent, of Europe. In the middle of the last century a remarkable instance occurred which brought to a crisis this controversy, if it were a point of controversy. When Peter the Great emerged from his anomalous condition as a powerful Sovereign—hardly recognized by his brother Sovereigns—he changed the style and title of his office from that of Czar to Emperor. That addition was acknowledged by England, and by England alone. The rulers of Russia as Emperors remained unrecognized by the great comity of nations; and after Peter the Great they still continued to bear the titles of Czar and Czarina, for more than one female Sovereign flourished in Russia about the middle of the century. In 1745, Elizabeth Czarina of Russia, having by her armies and her councils interfered considerably in the affairs of Europe—probably (though I am not sure of this) influenced by the circumstance that the first Congress of Aix-la-Chapelle, in the middle of the last century, was about to meet—announced to her allies and to her brother Sovereigns that she intended in future to take the title of Empress, instead of Czarina. Considerable excitement and commotion were caused at all the Courts and in all the Governments of Europe in consequence of this announcement, but the new title was recognized on condition that Her Majesty should at the same time write a letter—called in diplomatic language a Reversal acknowledging, that she thereby made no difference in the etiquette and precedence of the European Courts and would only rank upon terms of equality with the other Crowned Heads of Europe. Upon these terms, France, Spain, Austria, and Hungary admitted the Empress of Russia into their equal society. For the next 20 years, under Peter III., there were discussions on the subject; but he also gave a Reversal disclaiming superiority to other Crowned Heads in taking the title of Emperor. When Catherine II. came to the Throne, she objected to write this Reversal as being inconsistent with the dignity of a crowned Sovereign, and she herself issued an edict to her own subjects, announcing, on her accession, her rank, style, and title, and distinctly informing her subjects that, though she took that style and title, she only wished to rank with the other Sovereigns of Europe. I should say that the whole of the diplomatic proceedings of the world from that time have acknowledged that result, and there can be no question upon the subject. There was an attempt at the Congress of Vienna to introduce the subject of the classification of Sovereigns, but the difficulties of the subject were acknowledged by Prince Metternich, by Lord Castlereagh, and by all the eminent Statesmen of the time; the subject was dropped; the equality of Crowned Heads was again acknowledged, and the mode of precedence of their Representatives at the different Courts was settled by an alphabetical arrangement, or by the date of their arrival and letters of credit to that Court at once and for ever. The question of equality between those Sovereigns who styled themselves Emperors and those who were Crowned Heads of ancient kingdoms, without reference to population, revenue, or extent of territory, was established, and permanently adopted. Now, Sir, the hon. Gentleman the Member for Glasgow (Mr. Anderson) said the other day —"If Empress means nothing more than Queen, why should you have Empress? If it means something else, then I am against adopting it." Well, I have proved to you that it does not mean anything else. Then, why should you adopt it? Well, that is one of those questions which, if pursued in the same spirit, and applied to all the elements of society, might resolve it into its original elements. The amplification of titles is no new system—no new idea; it has marked all ages, and has been in accordance with the manners and customs of all countries. The amplification of titles is founded upon a great respect for local influences, for the memory of distinguished deeds, and passages of interest in the history of countries. It is only by the amplification of titles that you can often touch and satisfy the imagination of nations; and that is an element which Governments must not despise. Well, then it is said that if this title of Empress is adopted, it would be un-English. But why un-English? I have sometimes heard the Ballot called un-English, and indignant orators on the other side have protested against the use of an epithet of that character which nobody could define, and which nobody ought to employ. I should like to know why the title is un-English. A gentleman the other day, referring to this question now exciting Parliament and the country, recalled to the recollection of the public the dedication of one of the most beautiful productions of the English muse to the Sovereign of this country; and, speaking of the age distinguished by an Elizabeth, by a Shakespeare, and by a Bacon, he asked whether the use of the word "*Empress*," applied by one who was second in his power of expression and in his poetic resources only to Shakespeare himself in the dedication of an immortal work to Queen Elizabeth was not, at least, an act which proved that the word and the feeling were not un-English? Then, of course, it was immediately answered by those who criticized the illustration that this was merely the fancy of a poet. But I do not think it was the fancy of a poet. The fancy of the most fanciful of poets was exhausted in the exuberant imagination which idealized his illustrious Sovereign as "The Faery Queen." He did not call her Empress then—he called her "The Faery Queen." But when his theme excited the admiration of Royalty—when he had the privilege of reciting some of his cantos to Queen Elizabeth, and she expressed a wish that the work should be dedicated to her—then Spenser had, no doubt, to consult the friends in whom he could confide as to the style in which he should approach so solemn an occasion, and win to himself still more the interest of his illustrious Sovereign. He was a man who lived among courtiers and statesmen. He had as friends Sidney and Raleigh, and I have little doubt that it was by the advice of Sidney and Raleigh that he addressed his Sovereign as Empress, "the Queen of England, of Ireland, and of Virginia"—the hand of Sir Walter Raleigh being probably shown in the title of the Queen of Virginia. and it is not at all improbable that Elizabeth herself, who possessed so much literary taste, and who prided herself on improving the phrases of the greatest poet, revised the dedication. That example clearly shows that the objection to this assumed adoption by Her Majesty of the title of Empress as un-English could hardly exist in an age when the word was used with so much honour—in an age of "words which wise Bacon and brave Raleigh spake." I think it is obvious from these remarks, made upon the assumption that the title which Her Majesty would be pleased to adopt by her Proclamation would be "Empress," that the title would be one to which there could be no objection. I am empowered, therefore, to say that the title would be "Empress," and that Her Majesty would be "Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and Empress of India." Now, I know it may be said—it was said at a recent debate and urged strongly by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) — that this addition to Her Majesty's style, and in this addition alone, we are treating without consideration the colonies. I cannot in any way concur in that opinion. No one honours more than myself the colonial Empire of England; no one is more anxious to maintain it. No one regrets more than I do that favourable opportunities have been lost of identifying the colonies with the Royal race of England. But we have to deal now with another subject, and one essentially different from the colonial condition. The condition of India and the condition of the colonies have no similarity. In the colonies you have, first of all, a fluctuating population—a man is Member of Parliament, it may be, for Melbourne this year, and next year he is Member of Parliament for Westminster. A colonist finds a nugget, or he fleeces a thousand flocks. He makes a fortune, he returns to England, he buys an estate, he becomes a magistrate, he represents Majesty, he becomes High Sheriff; he has a magnificent house near Hyde Park; he goes to Court, to levées, to drawing rooms; he has an opportunity of plighting his troth personally to his Sovereign, he is in frequent and direct communication with her. But that is not the case with the inhabitant of India. The condition of colonial society is of a fluctuating character. Its political and social elements change. I remember 20 years ago a distinguished statesman who willingly would have seen a Dukedom of Canada. But Canada has now no separate existence. It is called the "Dominion," and includes several other Provinces. There is no similarity between the circumstances of our colonial fellow-subjects and those of our fellow-subjects in India. Our colonists are English; they come, they go, they are careful to make fortunes, to invest their money in England; their interests in this country are immense, ramified, complicated, and they have constant opportunities of improving and enjoying the relations which exist between themselves and their countrymen in the metropolis. Their relations to the Sovereign are ample; they satisfy them, the colonists are proud of those relations, they are interested in the titles of the Queen, they look forward to return when they leave England, they do return—in short, they are Englishmen. Now let me say one word before I move the second reading of this Bill upon the effect which it may have on India. It is not without consideration, it is not without the utmost care, it is not until after the deepest thought that we have felt it our duty to introduce this Bill into Parliament. It is desired in India. It is anxiously expected. The Princes and nations of India —unless we are deceived, and we have omitted no means by which we could obtain information and form opinions—look to it with the utmost interest. They know exactly what it means, though there may be some hon. Members in this House who do not. They know in India what this Bill means, and they know that what it means is what they wish. I do myself most earnestly impress upon the House to remove prejudice from their minds and to pass the second reading of this Bill, without a division. Let not our divisions be misconstrued. Let the people of India feel that there is a sympathetic chord between us and them; and do not let Europe suppose for a moment that there are any in this House who are not deeply conscious of the importance of our Indian Empire. Unfortunate words have been heard in the debate upon this subject. But I will not believe that any Member of this House seriously contemplates the loss of our Indian Empire. I trust, therefore, that the House will give to this Bill a second reading without a division. By the permission of the Queen I have communicated, on the part of my Colleagues, the intention of Her Majesty, which She will express in her Proclamation, if you sanction the passing of this Bill. It will be an act, to my mind, that will add splendour even to her Throne, and security even to her Empire.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Disraeli.*)

Mr. SAMUELSON said, that the right hon. Gentleman, in the observations which he had made to the House, had condescended to make an allusion to a Question which he had asked the other evening, and which he had described as unfair and improper. He thought that expression was hardly courteous—was hardly more courteous than the answer that the right hon. Gentleman gave to his Question on Tuesday last. Now, he (Mr. Samuelson) thought the name of Her Majesty had been very improperly imported into the debate by the right hon. Gentleman. If the question which the House had to determine were one solely affecting the pleasure and gratification of Her Majesty, he was sure the House would act as it had always done, and give to the consideration of this Bill its most favourable attention. Her Majesty had reigned now for nearly 40 years, and in the course of that time the love and affection of her people had been evinced from year to year, and within the last two days She had performed an act which would more than ever endear her to her subjects. It was as Queen of England she would always be remembered, and it was by her Queenly title that her memory would descend to posterity. The question, however, they were now asked to entertain was not one affecting Her Majesty. It was one of high policy—a question in which by this Bill the House was invited to take part. [*Cries of* "Agree."] It was not often that he troubled the House with any remarks, and he begged for its indulgent attention. To his mind it was more than doubtful whether the addition of the title of Empress was an act of high policy. It was, in his opinion, an act of the most questionable policy to have introduced this Bill at all, and he had not heard any reason calculated to remove the prejudices which existed with regard to this matter. The right hon. Gentleman had said that the time had come when the relations between the people of England and the people of India were such that some recognition of Her Majesty's title had become absolutely necessary; and, furthermore, that it was desirable to recognize the transfer of the dominion of India from the East India Company to the Crown. That transfer took place 18 years ago, and the right hon. Gentleman seemed to have forgotten that it was acknowledged by the Proclamation of Her Majesty when the Queen was styled "of the United Kingdom and of her dominions in Europe, Asia, Africa, and America, Queen, Defender of the Faith." The right hon. Gentleman had said that this addition to Her Majesty's title would be agreeable to the Princes and people of India; but he had produced no evidence in support of that assertion. The right hon. Gentleman had endeavoured to explain away the prejudices which existed against the title of Emperor, and had referred to the time of the Antonines. Instead of going back to that time, some 1,700 years ago, it would have been much better had he devoted his attention to the events of the present time, when he would have discovered why the title of Emperor was not consonant with the feelings of the people of this country. He need not remind the House of the antecedents of the Second Empire in a neighbouring country in our own days—how it was founded in the orgies of the Camp of Satory—how it was confirmed by the slaughter and the barricades of Paris, and how it ended ingloriously in the catastrophe of Sedan. With regard to the German Empire, whatever might be the facts in reference to the policy of its creation it had been contemporaneous with an outbreak of religious strife between Catholics and Protestants. In dealing with India it must be remembered that there were great varieties of religions and race suggestive of strife. The right hon. Gentleman stated that he knew what were the sentiments of the Princes and Natives of India. Now, he must be considered a bold man who would undertake to say what was the current of public opinion in India. Did we know at this moment what had led to the Sepoy rebellion? And if the assumption of this title should happen to coincide with monetary derangement which seemed impending in consequence of the depreciation of silver, how did we know in what light the connection of the two subjects would be regarded in India? He himself considered this to be a gratuitous act on the part of the Government, one to justify which, as he had before said, no sufficient evidence had been adduced. He thought the right hon. Gentleman, having recently elevated certain persons to the Peerage, and given a step to certain Noblemen in its hierarchy, would have done better had he rested there. In his (Mr. Samuelson's) opinion, the right hon. Gentleman ought, on the first reading of the Bill, to have plainly answered the Question put by the right hon. Member for Birmingham (Mr. John Bright), and thought it was not quite fair the House should be called upon that evening to decide the matter without time being given for reflection. The country ought to have proper notice, so as to have an opportunity of expressing its views. The Princes of India should not alone have been taken into the councils of the right hon. Gentleman to the exclusion of this House and of the people of this country. Therefore, he begged to move the Adjournment of the Debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Samuelson.*)

Sir GEORGE CAMPBELL said, he had on a former evening ventured to express his humble concurrence in the general policy of this measure. In every way it was desirable and would be acceptable to the people of India that some step should be taken distinctly to mark the Imperial character of our reign in that country. As to what the new title should be, he had expressed no opinion, and he did not desire to express a very decided opinion now; but he would state some facts which might, perhaps, lead to the formation of an opinion on the subject. Looking at the question from an Indian point of view, whether the title was that of Empress or that of Queen, the end to which he looked, and to which he believed the Government also looked, would equally be attained, and the one title would as well answer the purpose in India as the other. The question as between Empress or Queen was, therefore, one that might and should be determined with reference to English considerations. He had created a good deal of hilarity on a former evening, when he gave it as his opinion that in taking the step she was now advised to take, it would be well that Her Majesty should mark that she succeeded to the position of the Great Mogul. On the other hand, the hon. Member for Hackney, instead of being amused by that suggestion, lectured him very severely for making it, describing the Great Moguls as fierce and barbarous conquerors and oppressors. Now, he said that the memory of the Great Mogul was not one that excited either laughter or hatred in India. His memory and name were very great. It might be that, judged by a modern standard, his Empire was not a perfect one; but judged by the standard of the 18th century, it was very great and glorious, and was in many respects an excellent and good Empire. It was remarkable for religious toleration to a degree that did not exist in Europe in those days. Hindoos were tolerated, and placed in a social position under that Empire which Nonconformists had not then attained in Great Britain. In some respects the poor were protected from the rich and the grasping in a way which was not done in our own Empire. Great arts, great monuments, great laws, many great reminiscences of that Empire had made the memory of the Great Mogul a power in India which continued to the present day. When our power was overthrown by the Mutiny, the King of Delhi was set up in our place, which showed that the memory of the Great Mogul, to whose power Her Majesty had succeeded, was still existent. Whether the Queen took the title of Queen or Empress, he thought it would equally be translated by the Oriental word Badshah, which was derived from a Sanskrit root, and signified "Protector King." That was peculiarly appropriate, and the question really was how it was to be translated into English. They had always translated it King. That being so, the question became one whether there was now any necessity for the title of Empress of India. The Prime Minister had shown with great force that in reality the title of Empress was not higher than that of Queen, and did not carry greater state or dignity. Therefore he was at some loss to understand why he should consider it necessary, as an appeal to the imagination of the people, to give the title of Empress rather than that of Queen. Another consideration urged was this—In modern Europe—as in the case of the German Emperor—Emperor, it was said, was the title of a Sovereign who reigned over Kings; and in that respect it might be thought that Emperor was superior to King. Well, if there were Kings now ruling in India, it might be desirable to have a title superior to them, and to adopt the style of Empress instead of Queen. But in reality in India there were no Princes who assumed or claimed the position of Kings, and therefore there was no necessity that the title of Empress should be taken in preference to that of Queen. The titles of the Native Princes were all taken from, and borne in subordination to, the former Sovereigns of India. Most of them held under the Great Mogul. The Nizam of Hyderabad and of the Deccan was Governor General of the Deccan. The other great Mahomedan Viceroys, in Bengal and Oude, for instance, took titles which were distinctly marked in subordination to the Great Mogul. Similarly, as regards the Mahratta States, Scindia, Holkar, and the Prince of Baroda did not assume Royal titles, but were marked in subordination to the head of the Mahratta confederacy. True, there were Rajahs and Maharajahs, and as Rajah came from the same root as Re or Rex, it might in some sense be translated King. But it was well known in India that many subjects bore the title of Rajah and Maharajah, and therefore these titles could not be taken to refer to a "King." He believed the visit of the Prince of Wales was an occasion on which the Native Princes had shown openly their disposition to accept their position as feudatories of the Queen, and the people of India their loyalty to the Crown. As, therefore, from the Indian point of view, there was no reason for the title of Empress in preference to Queen, it remained to refer to the feelings of the people of this country, and he feared Her Majesty had not been advised to take the wisest course in adopting the title of "Empress." When one met a dozen men in the street and all concurred in one view, it might be taken as some evidence of the opinion of the people. He had consulted many in the street, and found that all held that the title "Queen of England" was a magnificent title, and that it would be a great pity to alter it. He would advise the Government to consult the feelings of the people of this country.

Mr. NEVILLE-GRENVILLE entirely differed from the hon. Member who had just spoken, that the people of this country required any notice of the adoption of any additional title by Her Majesty. She was supreme Ruler and Governor, subject only to that Higher Power "by whom alone Kings reign and Princes decree justice." He was glad to hear that Her Gracious Majesty was not to be shorn of those appendages to her style and title the omission of which would indeed give great offence to the people of this country. Her Majesty was, "by the grace of God," Queen of Great Britain and Ireland, and "Defender of the Faith," and he hoped that she would long continue to reign in that capacity.

MR. GLADSTONE: Sir, there is one sentiment expressed by the right hon. Gentleman (Mr. Disraeli), towards the conclusion of his speech, which certainly I feel the force of. He expressed his great desire that there should be no division on this subject. I go so far, at least, with him that I am deeply convinced that this is a matter which cannot be settled in a manner satisfactory to the feelings of those concerned by any mere majority. The acceptance of the Bill by the mere vote of a majority —and, possibly, a Party majority— would, in my opinion, be very far from attaining the object which the right hon. Gentleman has in view; and the loss of the Bill through an adverse vote would likewise, in my opinion, be attended with serious evil. On this account I, for one, have been desirous to take time, and to avoid all hasty and precipitate declarations of opinion on the question; and, although the leaning and tendency of the sentiments I entertain will be obvious enough from what I have to say, yet I do not desire to give any opinion at this moment on the question whether it would or would not be right—for I have no control over the vote of any Gentleman in this House—to accede to the request of the right hon. Gentleman, and to allow the second reading of the Bill to pass without a division. What I shall attempt to do is this—I shall endeavour to weigh the reasons which have been given by the right hon. Gentleman for the measure he has introduced. I shall point out certain considerations which undoubtedly appear to me greatly to recommend—not with any hostile view, but in order simply to obtain full deliberation—the Motion made by my hon. Friend (Mr. Samuelson), for which, I may say, I have no personal responsibility; and I may likewise add a few words on the question of the title the Queen now bears as compared with the title which it is proposed to give. Now, I would point out what appears to be an incorrect and misleading use of an important phrase that has more than once been observable in the speech of the Prime Minister. When asked for a declaration on the subject of the advice it was his intention to tender to Her Majesty, he spoke of the pressure exercised upon him as an attempt to interfere with the Prerogative of the Crown; and he has told us to-day, in words that are perfectly true and undeniable, of the manner in which that Prerogative has been exercised by the Sovereign during her reign, as if he considered that in this matter we had, at any rate, some concern with the Prerogative of Crown. I wish, Sir, to get rid of this misleading expression. From the beginning of this discussion to its present stage, and from its present stage till its close, we have had, and shall have, nothing whatever to do with the Prerogative of the Crown. Statute and Prerogative are logically exclusive of one another. The Prerogative of the Crown does not require, and does not depend on, statute; the statutory power conferred upon the Crown has no relation and no concern with Prerogative; and the question now before us is as to the policy of conferring any statutory power upon the Crown with respect to its Royal style and title, and the question is what that power shall be and how it shall be used. Now, if I understand the speech of the right hon. Gentleman, he alleges two grounds for his proceedings—one is precedent, and the other is the desire of India; but as to positive argument in support of his proposal, I do not find a trace. Now, as regards precedent, it appears to me that the right hon. Gentleman has been wholly misled in his reading of what he terms the precedent of the Act of Union. For what is it that has given rise to uneasiness, and has created difference of opinion in this House? What is it that creates—I will not use too strong a word—misgiving and mistrust in every circle and in every portion of society with which I am conversant? but, as far as regards this question, I have been hardly able to trace any political distinction (as in respect to the Suez Canal) in the feelings and opinions on the subject. But what is the force and effect of the precedent the right hon. Gentleman thinks he has found. In the first place, the precedent is wholly detached from the matter which is now, if I may so say, in dispute, because it has exclusive reference to the enumeration of territories and powers which were granted; whereas the matter about which differences of opinion now exist is not the enumeration of territories at all, but the designation of the

Sovereign herself. The right hon. Gentleman appears to me not to have perceived the very peculiar circumstances out of which the adoption of the empowering method, instead of the enacting method, arose in the year 1801. If I read the circumstances of the time aright, it would hardly be too much to say that Parliament had no power but to proceed by empowering enactment; and why? Because there was the question of a Treaty between two perfectly independent Legislatures, and if Parliament had done what was done in the reign of Henry VIII., when the title of Supreme Head was conferred on the Crown by statute, it would undoubtedly, as it appears to me, have invaded the province of the Legislature of Ireland had it attempted to give—what it had done by Resolution — statutory powers in Ireland by its own act to the title which it was in contemplation the Sovereign should assume. By the expedient adopted, the Crown was placed in a position to exercise the power that Parliament had conferred, according to the known intentions of the Parliament of England and likewise the known intention of the Parliament of Ireland. But, as I said just now, this precedent quoted by the right hon. Gentleman has no concern whatever with the designation of the Sovereign, and my authority for saying so is a speech by Mr. Pitt himself. In moving the Resolution he used these words—

> "It will be seen that the article merely relates to the name of the United Kingdom, upon which, I apprehend, no difference of opinion can exist."

The power given had relation to the name of the kingdom which is not now at all in question, and in 1801 the designation of the Sovereign was equally out of the case and out of the view of Parliament. I come now to the other argument which the right hon. Gentleman alleges, the desire of India, and he alleges this desire in very strong and very remarkable terms. It is said that this change is desired by Princes and by people, and we are told that the Government have ample means of making inquiry, and that they have not neglected those means. Upon this statement I have two remarks to make. First, it would appear as if the people of India had been much more in the confidence of the right hon. Gentleman than the British Parliament. We have not known what advice was likely to be tendered to the Sovereign; whereas, according to the right hon. Gentleman, the Princes and the people of India have been aware of it all along, and have conclusively made known the feelings they entertain on the subject. But if that is so—if the right hon. Gentleman is in possession of this evidence of the feelings of the Princes and the people of India—why has he not laid it before us? I say that we have every title — every moral title, every Parliamentary title—to be put in possession of that evidence, and that my hon. Friend behind me (Mr. Samuelson) is within his right when he asks that before he is called upon to decide upon the very delicate question contained in the right hon. Gentleman's speech to-night, time may be given him for the purpose of receiving such evidence. I urge this matter most seriously upon Her Majesty's Government. I beg we may have in an official shape this evidence which the right hon. Gentleman possesses of the manifest desire of the Princes and people of India with respect to the title which it is proposed Her Majesty should assume. In my opinion, this is a matter of the greatest importance. We have had some declarations in this House with respect to India. The hon. Member for West Cumberland (Mr. Percy Wyndham), who is well known for his ability, on the night when the right hon. Gentleman first made his proposal, said that an Imperial title would be the one most suitable, because it would signify that Her Majesty governed India without the restraints of law or constitution.

Mr. PERCY WYNDHAM: I said that the Government of India was a despotic Government, not in the hands of one person, and not, as in this country, a Constitutional Government in the hands of the Queen and the Houses of Lords and Commons. The Government of India is essentially a despotic Government as administered by us, although it includes more than one individual.

Mr. GLADSTONE: I am very much obliged, and I perceive completely the hon. Member's meaning; but I am sorry that to that meaning as it stands I take the greatest objection. If it be true—and it is true—that we govern India without the restraints of a law except such law as we make ourselves—if it be true that we have not been able to give to India the benefit and blessings of free institutions—I leave it to the hon. Gentleman—I leave it to the right hon. Gentleman, if he thinks fit—to boast that he is about to place that fact solemnly upon record. By the assumption of the title of Empress I, for one, will not attempt to turn into glory that which, so far as it is true, I feel to be our weakness and our calamity. What do we know of the juridical effect of the measure which the right hon. Gentleman has proposed? Of that subject he has not said one word. I am not competent to enter into it; but the learned Gentleman behind me (Dr. Kenealy), who is accomplished in his knowledge of the law, is able to do so. There are many hon. Members in the House who can supply the defect; but I wish to bring to the attention of the Government that which appears to me to be a very serious point in this question, of which the right hon. Gentleman has not taken the slightest notice. He has introduced to us a Bill which states that an Act of Her Majesty enacted—

> "That the Government of India, theretofore vested in the East India Company in trust for Her Majesty, should become vested in Her Majesty, and that India should thenceforth be governed by and in the name of Her Majesty."

I am not now speaking of the word "Empress," but of India, and I wish to bring into view a serious question, and a question wholly unexplained to this moment, which may be involved in any statutory establishment of the name of India in the title of the Sovereign. If I read the Act for the government of India correctly, the recital of the Preamble of this Bill is inaccurate. As I read it, it is not true that the government of India has been vested in Her Majesty; and it is not true that it has been enacted that—"India should thenceforth be governed by and in the the name of Her Majesty." Now, this is a matter of very considerable delicacy and importance. The Act for the government of India provides, in the 1st clause, that—

> "The government of the territories now in the possession or under the government of the East India Company, and all powers in relation to the government, vested in or exercised by the said Government in trust for Her Majesty, shall cease to be vested in or exercised by the said Company, and all territories in the possession or under the government of the said Company and all rights vested in or which may have been exercised by the said Company in relation to any territories, shall become vested in Her Majesty, and exercised in Her name."

That is the great operative part of the clause. It is clear that the operative part of it does not embrace the entire country of India. ["Oh, oh!"] Let the hon. Gentleman who disposes so easily of this question point out to me a legislative or a judicial decision, and I shall then pay the greatest respect to what he says; but for the present I must be content to proceed on my way without the advantage of his approval or support. The operative part of the clause is carefully limited to the countries which had been held in trust for Her Majesty by the East India Company. The clause ends by saying—

> "And for the purposes of this Act India shall mean the territories vested in Her Majesty aforesaid, and all territories which may become vested in Her Majesty by the aforesaid."

I may be wrong; but it is clear that this was the draftsman's expedient, as it was impossible to go on reciting the long and cumbrous description which I have read—namely, the description of these territories. It is plain, therefore, that the government of India—that is, the entire India—never has yet, by statute, been vested in Her Majesty; but that which has been vested is the government of the countries which were held in trust for Her Majesty by the East India Company. I would be the last man to raise this question if it were a mere verbal quibble. It is as far as possible from being a question merely verbal; the speech of my hon. Friend who has just sat down indicates that it is no verbal quibble. He says his desire is—though I am glad that he at any rate hesitates as to the title of Empress—that the Queen shall assume some title in respect to India which shall show that she is assuming the possession of the powers of the Great Mogul. [Sir GEORGE CAMPBELL: As the representative of the nation.] I quite understand that; my hon. Friend is much too constitutional a Member of Parliament to omit that qualification. If I understand my hon. Friend aright—and he speaks with much authority on the subject—he distinctly assures us that the supremacy of the Great Mogul extended over all the Native Princes of India within the limits of the dominion which we call India. What I want to know is this—has that supremacy, that dominion, ever been, legislatively or even judicially, up to the present moment, assumed either by the East India Company or by the Queen, who succeeded the East India Company? It would be the utmost presumption if I were to speak dogmatically upon this subject; I believe it to be a question admitting of very considerable difference of opinion. As we have very great varieties of relations with the remaining Native States, as in some cases any independence that they possess is nothing more than nominal, as in some cases our powers over them either have been obtained by Treaty or are of a limited character, I would point out to the House that in regard to our power in India—that vast and curiously-constructed fabric of which we are the stewards, and which it is our duty to maintain so long as any obligation connected with that power remains to be fulfilled—we are under the most solemn obligations to proceed with caution, with circumspection, with a strict regard to principles of law, with strict regard to the lessons of history, in every step we take in this great matter. Whether my principle be right or not in the allegation made respecting a former Sovereign of India, I am under the belief that to this moment there are important Princes and States in India over which we have never assumed dominion, whatever may have been our superiority of strength. We are now going by Act of Parliament to assume that dominion, the possible consequences of which no man can foresee; and when the right hon. Gentleman tells us the Princes of India desire this change to be made, does he really mean to assure us that that is the case? If so, I require distinct evidence of the fact. There are Princes in India who, no doubt, have hitherto enjoyed no more than a theoretical political supremacy, but do they desire to surrender even that under the provisions of this Bill? I cannot conceive a stronger argument addressed to Her Majesty's Government, and it is with them and not with us that the burden of proof lies upon this question. The right hon. Gentleman is going to advise the Queen to become Empress of India. I raise the question, What is India? I have said that the dominion now vested in Her Majesty is limited to the territories vested in the East India Company. I ask whether the supremacy of certain important Native States in India ever was vested in the Company or whether it was not? We are bound to ask the right hon. Gentleman—and I think he is bound to answer the question through the medium of his best legal authorities—whether this supremacy is so vested or not, and whether he can assure us upon his responsibility that no political change in the condition of the Native Princes of India will be effected by this Bill. If there is a political change effected, I do not hesitate to say I do not think it would be possible to offer too determined an opposition to the proposal of the Government. Instead of saying, as I do, that I feel every desire to postpone coming to a decision, I should say it would be an act of temerity almost approaching to insanity, for any purpose such as the right hon. Gentleman has described, were we, the British Parliament, to consent to effect a change in the political *status* and position of the Sovereigns of India, with respect to whom we at least are not in a state of ignorance. I feel with the right hon. Gentleman—indeed, I feel a little more than the right hon. Gentleman—the greatness, the unsullied greatness, of the title which is now borne by the Queen of England. I think I use the language of moderation when I say that it is a title unequalled for its dignity and weight, unequalled for the glory of its historic associations; unequalled for the promise which it offers to the future, among the titles of the Sovereigns of Europe, among all the states and nations on the earth. Sir, I have a jealousy of touching that title, and I am not to be told that this is a small matter. There is nothing small in a matter, in my judgment, which touches the honour and dignity of the Crown of England. These matters are all great—they are far-reaching—they have an importance even for the life of our Sovereign, which I hope will be long preserved, and they reach far into the future of England. You should not take a step in advance now which hereafter you may possibly have to regret or retract. You should consider very carefully the whole of these questions which touch the Sovereign—such are the lessons I have learnt from my political instructors, and such are the lessons I try to hand down—you should consider all that touches the Crown as matters of the highest delicacy, of the highest importance, and part, the most sacred portion, of the same power which we are called upon to administer on behalf of the Empire. I own I think there ought to be strong reasons—reasons of much more strength than I have gathered from the statement of the right hon. Gentleman—to induce us to run the smallest risk of putting in jeopardy this magnificent and noble title of the Queen of England. I am not speaking of the institutions of France; but speaking of the associations and history of the title of "King of France," it might have put itself into competition with the British Crown, but that title of "King of France," has been entirely swept away, and an article of modern manufacture, when Royalty has been set up in France, has been substituted for it. It has been the misfortune of that great country to feel itself compelled in a considerable degree to encounter one of the heaviest of all calamities—namely, to break with its own past, to sever its present traditions from those which it had accumulated in other days. We have all our misfortunes and dangers, but that is a calamity which this country has never been called upon to encounter, and which, I trust, it never shall. What I feel about this Imperial title is that, with the greatest possible respect for Emperors now subsisting, and more even than respect it may be, and not at all questioning that the perfect legitimacy of the titles which they bear, as justified by the circumstances in which they stand, I am not very willing to have the title of Queen of England—without very strong reasons shown me—brought into any sort of competition with theirs. The right hon. Gentleman has, indeed, manfully contended that there is no inferiority in the title of King as compared with that of Emperor, and I believe the state of the matter diplomatically is this—that the question of precedence has never absolutely been ruled upon as between one King and Emperor or another King and Emperor. That has never been absolutely ruled amongst the Courts of Europe. But this, I think, has been the case—that practically, whenever the title of King has come into competition with that of Emperor, up to this moment either the former title has been completely absorbed or has assumed the second place. If I take the Kingship of the Emperor of Austria when he was King of the Romans and also King of Hungary, I find that he was never heard of as King of Hungary or King of the Romans, except in the days when he was crowned with the iron crown in the Cathedral of Milan. He was called Emperor of Austria, and in that title his Kingship was practically swallowed up. Under the teaching of circumstances which perfectly warrant the act, the King of Prussia, as he was a few years ago, has become the German Emperor, and has ceased to be King of Prussia; but whether that title is technically used or not I cannot speak positively; but we know that his Kingship is entirely absorbed in that of Emperor. Now, I want to know why I am to be dragged into novelties, or into comparisons on a subject of this sort? If it be that Queen of the United Kingdom is still to remain the superior title, what do we then do? We introduce a completely new anomaly into the nomenclature of titles, because undoubtedly the title of Emperor has certain pretensions: they are not given up, but they are exhibited by the facts I have just recited, that, where the two come into competition, the title of Emperor prevails. But why are we to invent another innovation and say that from the principal and central, and I do not hesitate to say the superior, dominion Her Majesty shall derive the title of Queen, but that from the scondary dominion she shall derive the higher title—namely, the title of Empress. Is there a difference between the two titles; and, if so, is it a difference of which we ought to take note? History, in my opinion, goes far to determine that question. There is on the title of Emperor a historic stamp. The right hon. Gentleman cannot escape from the whole of the records of history by quoting Gibbon and the peculiarly exceptional and solitary period of the Antonines. We have not always got Antonines to govern us. If we had, even some of the machinery and labour of this House might be dispensed with. The title of Emperor is distinguished, it seems to me, in history from the title of King by two characteristics. The title of King is commonly and by usage hereditary. If we except Poland, there is no other very strong case we can quote historically of the elective character in conjunction with the title of King. The title of King is, as I have said, hereditary; the title of Emperor is not, according to history it is elective. I do not, of course, mean to deny that you have now certain hereditary Empires —Empires, in comparison, of yesterday, because the German Emperor has been an Emperor only a few years, the Emperor of Austria only from the commencement of this century, and the Czar only from a period in the last. But the ancient Empire which gave its historic character to the title was elective from the first. I do not mean regularly elective, because force often stepped in; but originally the title of Imperator was a military title voluntarily conferred, and it was historically derived from that military title when it was borne by the Roman Emperors. Those Emperors, I may add, did not exercise their regular prerogatives of government in virtue of their being Emperors. They had quite enough of King-craft in them, or Emperor-craft, if you like so to call it, to know on what they ought to base their authority, and consequently they availed themselves of the ancient titles of the Republic; and while assuming in the face of the world the title of Emperor, they also took the old constitutional title of Consul or other officer, in order that they might be legally entitled to exercise the functions of government. As Emperors they had no lawful powers. Powers they had, but they were not powers restrained by law. As to the Roman Emperorship, I need not enter into detail of the manner in which it was commonly disposed of and of the part exercised by the Prætorian Guards in the choice of the incoming candidate. The same may be said of the Emperors of Constantinople. In Germany the justice of the view which I have endeavoured to lay before the House was still more strongly illustrated. The Emperor of Germany is a gigantic figure in the retrospect of history, and I was astonished, I confess, when I heard the right hon. Gentleman say that the Emperor of Germany had no precedence over the Kings contemporary with himself. I do not know whether he retained it down to the very latest period of the existence of the title; but undoubtedly in the period of Charles V., and in all antecedent ages, if not in some of those that followed, until the Empire of Germany became so tremendously weakened with the religious wars following the Reformation, the precedence of the Emperor of Germany over the Sovereigns of Europe was undoubted. This is not a place or time for literary controversy; but it is clear that the Emperorship of Germany, which is the great and cardinal example of modern Emperorship for Christian Europe, was strictly an elective institution. Moreover, being an elective institution, it was an institution —and that is the second point of distinction between the two great titles— altogether exempt from the control of law. These are juridical questions, raised as to the rights of the Emperor with respect to the Pope, which lie entirely outside of this discussion; but speaking of the Empire of Germany, what legislative powers did the Emperor, after he had been elected, possess? None. What he possessed he possessed by the strong hand, and that is the character of the German Emperor. I am not saying that the powers were ill-used, or that he was not, on the whole, probably a very beneficial person for the Europe of those days; but what I am saying is that the title of Emperor is one which in the course of history has been almost uniformly dissociated from hereditary succession, and associated with elective succession, and, on the other hand, dissociated from the regular control of law, and associated with the undefined exercise of will, and very often with the simplest way of enforcing it. I confess these are very serious considerations, and if the right hon. Gentleman wishes to have anything like an unanimous or general assent of the British Parliament to the proposal he makes, he must give us further information and other reasons besides those which he has heretofore laid before us in order to bring about any such result. The right hon. Gentleman will therefore, I hope, be disposed to accede to the wish of my hon. Friend. I am perfectly certain that if this were an ordinary Bill my hon. Friend would be justified in pressing his demand by the usual means which are in the hands of Members—namely, by challenging the judgment of the House, and if he does not press it, it will not be because he has not occasion for pressing it, but because he is unwilling to take issue with the right hon. Gentleman in the form of a division, at any rate until the necessity becomes absolute. There is one other point on which I am anxious to make a few comments. I was, I own, struck by what fell from my right hon. Friend the Member for the University of London (Mr. Lowe) the other evening in reference to the colonies. Whether it be desirable to make any recital with regard to the colonies or not, it is a subject which requires much consideration whether we can wisely introduce reference to India in the title of the Sovereign, while we at the same time take no notice of the colonies. The right hon. Gentleman, the Prime Minister, assured us on the first evening of the discussion that such a proceeding would be wholly superfluous, inasmuch as the Colonies were included in the United Kingdom of Great Britain and Ireland. I should gladly accede to his proposition if I were aware of any sufficient ground—I might almost say of any ground—which can be alleged for a statement so novel and so paradoxical. The legal inclusion for certain purposes, not in the title of the Sovereign, but in the scope of Acts of Parliament, and up to certain limits, is a thing perfectly well known; but as to the inclusion of the colonies in the title of the Sovereign and in the name of the United Kingdom, as far as the title of the Sovereign is concerned, I really am not aware of it, and I have yet to learn what authority can be quoted in support of such a proposition. I think it is a very serious matter indeed if, when we have had no opportunity of consulting the colonies or of ascertaining their feelings on such a subject, we were to become parties to an Act which, by its very framework, excludes the colonies. If the right hon. Gentleman had addressed to us—at least to me individually as a Member of Parliament, along with others—the request that we should give to the Government a discretion to advise the Crown upon the enumeration of countries in the title of the Sovereign, I, for one, should have been disposed, though not seeing any great cause for such request, to acquiesce in it; but the right hon. Gentleman, unfortunately, does not do that. He requires us to give him a discretion to make an addition in respect to India, but he excludes from the power which he asks of us any means of making an addition in respect to the colonies; and I do not hesitate to say that I, for one, am not prepared to be a party to the exclusion of the colonies from the scope of this Bill. I am willing to leave it to the Government to consider that matter; but my impression is that if anything is to be done, the colonies ought to be noticed, and consequently I am not willing to be a party to their exclusion. Sir, I conclude with expressing a hope that the right hon. Gentleman will give some further consideration to this question. I must say I think that when his opening speech on the former night was heard by the House it was felt that the examination and scrutiny of the matter had hardly been carried up to the point which its gravity and its delicacy required. My disposition is, if it were possible, not to go to issue with the Government on a measure of this kind; but I own that I must hear from the Government, or those who may support this measure, arguments of a different character and a different gravity from those which hitherto have been adduced, or at some stage or other I fear it will be my duty, reluctant as I may be to enter upon its performance, in some manner or other to mark no inconsiderable degree of dissent from the framework of the measure as it stands.

THE CHANCELLOR OF THE EXCHEQUER: There is much of the speech of my right hon. Friend—I mean the antiquarian and historical portions of it—which I think the House will not desire me at present to follow; but there are one or two points in regard to which it is desirable that an answer should be given to his remarks. There was one portion of my right hon. Friend's eloquent speech in which he touched a chord which must have found a response in the heart of every Member of this Assembly when he spoke of the love and veneration attaching to the old and beloved title of our English Queen. But we have no question before us as to the maintenance of that old and truly British title. There is no question of losing that which is entwined in the hearts of all Englishmen. It is a question of a totally different character that we have before us to night. Will hon. Members look for a moment at the position in which we stand? My right hon. Friend said he regarded the measure with some misgiving and mistrust, and the hon Member for Banbury (Mr. Samuelson) in plainer language said he could not deny that he viewed it with something like prejudice. But, in point of fact, are we now doing anything very extraordinary? Are we proposing anything very much out of the usual course of English history, or are we not rather following the precedents set in former cases when there have been changes in the Constitution and limits of the Empire? My right hon. Friend says—"Let us look to precedents." Well, there have been several changes in the style of the Sovereign of this country. In the first place, there is the style given to the Sovereigns who ruled over the three portions of the now United Kingdom, and when we had our King of England, of Scotland, and of Ireland. When the union was effected between England and Scotland you changed the designation, not because there had been any difference in the acquisition of power by the King, but because you were bringing together two portions of the Empire, and placing them in different relations one towards the other, and you substituted for "England and Scotland" the term "Great Britain." In a similar way, when the union was effected between Great Britain and Ireland, you dropped the separate titles and adopted the title of "the United Kingdom of Great Britain and Ireland." My right hon. Friend opposite, when he was speaking as to whether this was done by statute or prerogative, charged my right hon. Friend at the head of the Government with taking a fallacious view with regard to prerogative. Now, I would ask him by what power it was done on the occasion of the change to which I have referred at the time of the union with Ireland, when the title of "King of the United Kingdom of Great Britain and Ireland" was assumed? By what authority was it that the title of "King of France" was at the same time abandoned? Was that by statute or by prerogative? It was by prerogative. It was in consequence of the power given to His Majesty to exercise his prerogative that that change was made. Similarly in consequence of the power now given to exercise the prerogative, Her Majesty will exercise it in order if this Bill is passed to effect the change which is about to be made. What are the circumstances of this change? Up to the year 1858 the territories which are now governed by Her Majesty in India were held and governed in trust for Her Majesty by the East India Company. On the occasion of the abolition of the power of the East India Company an Act of Parliament was passed which said that those dominions should henceforth be governed in the name of Her Majesty herself, and not by any one in trust for her. It would have been perfectly reasonable if at that time some step had been taken such as was taken at the time of the Union with Scotland and the Union with Ireland. Similarly it would have been perfectly natural and right, and no one would have questioned it at that time if it had been thought expedient to give a title distinctly to mark Her Majesty as Ruler of India. Indeed, I believe there are right hon. Gentlemen sitting on that Bench who at the time talked of that course being taken; but for good political reasons connected with the circumstances of the Mutiny that step was not then taken. Well, it not having been taken then there has never been any occasion on which it would have seemed desirable or fitting to remedy the defect until the present year. It can now be done in a graceful manner without any hints as to sinister designs or any intentions of changing the relations between this country and the people and Princes of India. It has become a reasonable thing for us to ask that Her Majesty should be empowered to take the title which would have been given to her in 1858 but for circumstances which have now ceased to exist. My right hon. Friend said—"Let us be well assured that no change is intended in the political status of the Princes of India." But does my right hon. Friend really think it necessary seriously to put such a question as that? If he can allow such a suspicion to enter his head he had better give up his words of distrust, adopt the more candid language of the hon. Member for Banbury, and speak of prejudice. There may be something which reveals itself to my right hon. Friend, but which does not reveal itself to ordinary minds; but, for my part, I am wholly unable to see how the addition to Her Majesty's style and titles of a title which is to mark her as being specially connected with India can in any way whatever affect the political status of Indian Princes. The

Proclamation which Her Most Gracious Majesty was pleased to issue when she assumed the direct Government of India is still in force, and by that Proclamation and by the law of the land will the Government of India continue to be governed. But my right hon. Friend says—"After all, what is it that we have to look to? You are talking to us of the wishes of the people of India." Well, it is from an Indian point of view that the question ought to be regarded; and if hon. Members would only bring themselves to regard it, as they ought to do, from that point of view, we should hear much less of these feelings of misgiving and mistrust, and statements about the character of the Emperor of this country and of another, all the examples being drawn from European history. We are told that there is no wish expressed on the part of the people of India for this new title. The people of India have expressed themselves on this subject. The hon. Gentleman (Sir George Campbell), who knows India well, spoke in a different tone from the right hon. Gentleman opposite as to the opinions of the people of India.

SIR GEORGE CAMPBELL: I spoke of the Princes and some of the people of India.

THE CHANCELLOR OF THE EXCHEQUER: I admit that we have not attempted a *plebiscite* in India to collect the opinions of the people there; but we are not without some evidence of their feeling. In the first place, the title of Empress has been used. On August 18, 1873, Lord Northbrook, in writing to the Ameer of Yarkand, described the Queen in this manner—"Mr. Forsyth," the Envoy sent on this occasion, "is also the bearer of a Royal letter from Her Majesty the Queen of India and the Empress of Hindostan."

MR. SAMUELSON: Will the right hon. Gentleman have the kindness to inform the House whether Yarkand is in British India?

THE CHANCELLOR OF THE EXCHEQUER: No; but Lord Northbrook was the Viceroy of the Queen, and it was in India and from India that he sent a letter bearing this title. I have not searched all the Indian journals, but here is an extract from *The Friend of India*, dated December 12, 1873, referring to a fête given by the Talookdars of Oude, which, for the satisfaction of the hon. Member for Banbury, is, I may state, in India. At this fête the Talookdars presented to the Governor General a loyal address, which thus concluded—

> "We would entreat your Excellency to assure Her Majesty, Empress of Hindostan, of our eternal gratitude and constant loyalty. . . . In conclusion, we earnestly beg your Excellency to convey to our beloved Sovereign our long-wished-for and fervent prayer that Her Majesty, in addition to her numerous high titles, be graciously pleased to be called in accordance with the immemorable usage of our country."—

and I will not venture upon the Hindostanee word, but I am told that it is equivalent to "Empress." ["Name."] Well, it is true that I held for a short time the Seals of the India Office, but I did not during that time learn the language of India. The word is "Sháhánsháh-i-Hind Zil-i-Subháni." I am told this word corresponds in the minds of the Natives of India with the word "Empress." To me, however, it does not signify whether the words exactly correspond or not. The fact remains that there was, and is, a desire on the part of many of the Natives and Princes of India that Her Majesty should take a title distinctly denoting that she holds a certain sway in India. We are told, and truly told, that in Europe there is no difference between the ranks of Queen and Empress; but although it is true that in Europe it could make no difference whether one title or the other was used, except that there is, perhaps, a prejudice against the title of Empress, may it not be equally true that among Eastern nations there is a great deal of difference between the two titles, with a prejudice the other way in favour of Empress? Let the House remember that among Oriental people an enormous value is attached to very slight distinctions. What to us may appear exceedingly trumpery and trivial distinctions, are in their eyes of the greatest importance. It is of the highest consequence, therefore, that we should take care that Her Majesty should in no way suffer in India by the assumption of any title or the use of any language signifying that she holds a less exalted position than any other Sovereign. We have still sitting on the opposite Bench right hon. Gentlemen who were Colleagues of the late Lord Palmerston. Lord Palmerston was very jealous on this subject. About a year or two after Her Majesty came to the

Throne, Lord Palmerston had a serious conversation with the Persian Envoy of that day, complaining that the title given to Her Majesty by the Persian Government was an inferior title. The Persian Envoy at the time was Hossein Khan, and the title given to the Queen was Malikeh; whereas Lord Palmerston contended that Her Majesty should be called by the Imperial title of Pádsháh. In the end, Lord Palmerston compelled the Persian Envoy to admit that the Queen was entitled to the higher and more important title. Now, Persia is not in India, and Yarkand is not in India, and the same may be said of many other countries in Central Asia; but the people of all those countries are continually brought into close relations with the Natives of India, and throughout all those countries there is one Power in particular which exercises a great and deserved influence. Is it well that to the Emperor of Russia should be given in those countries a title which appears to the people there to be higher and greater than the title borne by the Queen? The announcement has been made that it is Her Majesty's wish to mark the visit of the Prince of Wales to India by taking some title which should seem to connect that country more closely with our own; and after this first step has been taken, will anybody be satisfied that she should adopt a title which may appear in the eyes of the people of India to be lower than the title of the Emperor of Russia? It is all very well to say that in this country and in this House the title of Queen is as high as the title of Empress. We know it to be so, and to ourselves the title of Queen is so dear that we should not like to see Her Majesty barter it for any other. But in India the case is different. Whatever you may think of the propriety of marking this epoch by completing that which was the original intention in 1858, consider in what position you will be if, after making the proposal, you either go back or appear to hesitate. We have made the proposal, and for our part we do not hesitate on the ground directly stated by the right hon. Member (Mr. Lowe), that we may have to surrender this title if we lose India; and again put forward or rather hinted at by my right hon. Friend just now, when he said that this is a step which we may one day have to regret: but let us show to-night that we have no fear that we shall lose our Indian Empire, or ever be compelled to retrace the step we are now adopting.

Mr. W. E. FORSTER said, he did not concur with the Chancellor of the Exchequer that the power given by the Act of Union to George III. to take any title he thought fit was to be exercised as a matter of prerogative. On the contrary, he regarded it as the use of a power given by a statute. The Chancellor of the Exchequer had entirely misunderstood the argument of his right hon. Friend the Member for Greenwich. His right hon. Friend did not suppose that the Government intended to make any change in the position of the Princes of India; but he pointed out that, without intending it, such a change might be made. Of course, if there was any ground for that fear it would be possible to remove it in the later stages of the Bill. The really important question before the House was whether Her Majesty should have the title of Queen or Empress; and, in his opinion, it was a question which at present they were hardly in a position to discuss. They had an important Bill before them, and it was only now, upon the second reading, that they were told what the object of the Bill was. He thought that, under such circumstances, they were scarcely in a condition to consider the arguments either for or against the proposed addition of the title of Empress. His hon. Friend (Mr. Samuelson) therefore would be perfectly justified in persisting in his Amendment; but, at the same time, it was a matter of some importance that they should come to a unanimous conclusion. He had listened with great attention to the speech of the Prime Minister; but he did not hear him advance any argument to justify the proposed title. He said that it was the same as Queen, yet it would affect the imaginations of our Indian fellow-subjects. His object in rising now, however, was simply to say that he thought the right hon. Gentleman had not only misunderstood his (Mr. Forster's) remarks about the colonies, but, what was of much greater importance, he misunderstood the feelings that would be excited in the colonies. He regretted exceedingly that when the very important step was taken of proposing an addition which was tantamount to a change in the titles of our Sovereign—no change having been made since the beginning of the present century, and only two or three changes in the whole course of the existence of our Monarchy—the question of including our great colonies had not been more thoroughly considered. He thought the difficulty was very much increased by the fact that when the Queen was proclaimed throughout India—perhaps not legally, but certainly officially—a new title was assumed, and the Queen was known to be proclaimed as Queen of the United Kingdom and its colonies and dependencies; and now, when an official change of title was about to be made, the colonies were passed over and entirely ignored. He was sure the right hon. Gentleman had no intention of slighting the colonies, and he thought the observations which he had made on that subject would be received with satisfaction by our colonial brethren; but he could not say as much for the right hon. Gentleman's argument. He said the colonies were part of the United Kingdom of Great Britain and Ireland, but every one knew that they were not. For instance, no Government could contemplate parting with a portion of the United Kingdom, as with Gambia. The right hon. Gentleman made use of a further argument—namely, that people went to the colonies to make their fortunes and came back to spend them in England, and that the colonists constituted a fluctuating population. He (Mr. Forster) objected to that view being taken of our colonists. The colonists did not regard themselves as a fluctuating population, but as the founders of mighty communities; they were conscious that they were already great communities, and the people of England were equally conscious that they were so. It was therefore much to be regretted that when a change of title was about to be made the colonies did not receive that recognition which they deserved by being included in the new title.

MR. ANDERSON said, that as he rose only to support the Motion for adjournment, he did not think it necessary to speak on the main question, for he took it that the adjournment would be conceded by the right hon. Gentleman at the head of the Government. The right hon. Gentleman must be aware from the grim silence with which his announcement had been received on that (the Opposition) side of the House that they were deeply disappointed with the title which he intended to recommend to Her Majesty. The country also, he believed, would be deeply disappointed; and as soon as they knew that Empress was the title to be adopted they would speak out very loudly about it. They in that House knew it that night for the first time; and he thought they would be false to their trust if they did not give the people an opportunity of considering the subject before the Bill was adopted. It had been urged that the title of Empress would gratify the feelings of the people of India; but, in his opinion, the feelings of the people of this country were of very much more importance than the feelings of the people of India or even than those of the colonies, though these were of some account too, and were now being ignored. They should not, therefore, decide this question until they knew what were the feelings of the people regarding it. The Chancellor of the Exchequer had said that Lord Northbrook had already used the title of Empress in reference to the Queen's Sovereignty in India. But who had given the noble Lord authority to do such a thing? They were not going to justify him in what he had done, and confirm it because he, on some occasion without authority, had given the Queen a new title. The Chancellor of the Exchequer had alluded to the awkward position in which they would be placed if the House now hesitated to go on with the Bill after the Government had announced their intentions; but that was not the fault of the Opposition, and if anything wrong had been done, let it be laid on the shoulders of those alone who were responsible for it. He ventured to predict that the right hon. Gentleman at the head of the Government would live to regret the day he touched this question at all.

MR. SMOLLETT said, he had lived in India for 30 years, and he was in a position to declare that the assumption of a titular dignity in India by Her Majesty, where her Sovereignty was already known, acknowledged, and felt, would give to the Natives of that country the greatest possible satisfaction. When this Bill was introduced on the 17th of February the discussion that ensued was most unsatisfactory. He came down prepared to hear the Prime Minister introduce the Bill, and he thought the opportunity would be immediately taken by the noble Lord who led the Opposition to second the Motion cordially, and that the discussion would immediately terminate. But nothing of the sort occurred. The noble Lord was in his place, and apparently quite in his usual form. But he remained doggedly silent. The right hon. Gentleman the Member for the University of London (Mr. Lowe) jumped upon his legs as soon as the Prime Minister had sat down, and made a speech of the greatest bitterness against the Bill. That speech was altogether unworthy of the reputation of the right hon. Gentleman as a statesman, and, he believed, created considerable amazement in the rank and file of the Opposition. The action of Gentlemen on the front Opposition bench on that occasion seemed to betoken divided counsels, and that the Leadership of the Liberal Party, on that night at least, was in commission. Assuming that Her Majesty would take the title of Empress, the right hon. Gentleman the Member for the University of London condemned it on the ground that it would imply the exercise of political personal power by Her Majesty in India, and he quoted Blackstone in corroboration of his argument. But the people of India knew nothing of Blackstone, and cared less. What they did know was that the Representative of Her Majesty in India had exercised political personal sway of the most absolute kind, especially with regard to the Princes of that country. The Natives of India knew that the Viceroy acted under the instructions of a Secretary of State who was responsible to Parliament; therefore, whether Her Majesty assumed the title of Queen or Empress was merely a matter of sentiment, the style was not one which would make the slightest difference in her government of India. Then, according to the right hon. Gentleman, the title of Queen of India would be equally objectionable, because the colonists of Australia and Tasmania would be displeased. He (Mr. Smollett) knew nothing of them; he had heard they were rather a rough lot, but they could not be so stubborn or pig-headed as the right hon. Gentleman would lead us to assume. There was no similarity between India and the colonies. India was not a colony; it was a subject Empire, with 200,000,000 of people, its revenue was £50,000,000, its trade, import and export, amounted to £130,000,000 sterling annually, and £300,000,000 or £400,000,000 of British capital were sunk in that country. It was therefore worth 100 such places as Tasmania. He had stated in rising that any titular designation assumed by Her Majesty in India would be agreeable to the people, and he might add that it would be most acceptable to the Princes in Asia. He would tell the reason why. During the 30 years that he (Mr. Smollett) resided in India every Ruler in a Native principality lived in a state of sullen discontent and filled with gloomy forebodings of ruin. They looked upon themselves as a doomed race. Every Governor General who went out to India went with the craze of annexation upon him, and that craze was contagious. Some of them declared that that annexation policy was our irresistible destiny; but that was a "sham." Lord Dalhousie, the greatest Viceroy under the dynasty of the East India Company, had no dissimulation in him, and he laid it down that the whole of India ought to be brought under British rule, and that no opportunity should be neglected for dethroning a Native Prince and bringing his dominions under our sway. Being a Great Mogul, he found opportunities as thick as blackberries; and one of his last and most discreditable assumptions of power was the seizure of Oude. He justified his annexation of Oude on the ground that the people would be delighted to come under British rule. Lord Dalhousie said he would not require the services of another regiment to defend the annexation, and yet within 18 months of that time the Bengal Sepoys rose in rebellion, and the people of Oude joined the mutineers to a man. The Mutiny was quenched in blood, and when order was restored the Government of India was transferred from the Company to the Crown. The Proclamation then issued by Her Majesty made the name of Queen Victoria the most popular name in Asia, because it repudiated the doctrine of annexation; and from that day the Princes of India had enjoyed what he called a new lease of life. The auspicious visit of the Prince of Wales would serve greatly to stimulate the loyalty of the Native Princes. The people would look on the proposed addition to Her Majesty's title as a proof that she was proud of her Eastern dominions, and the Princes would regard the act as a renewed pledge of her protection to them for the future. The House must jealously watch the action of Secretaries of State and of future Viceroys, for they were not to be trusted; and it must also take care that every promise made in that Proclamation to Prince or people was fulfilled to the letter, for the Proclamation, though received with favour by the people, was cursed in their hearts by the ruling class in India. The civil and military servants of the Crown in India had always advocated the spoliation of Native rulers.

THE MARQUESS OF HARTINGTON: The House is evidently anxious that the debate should be brought to a close, and I have no intention of prolonging it, partly for this reason—that there appears to be no debate to be continued. The speech of my right hon. Friend the Member for Greenwich can scarcely be said to have received an answer from the other side of the House; and I trust that the subject which he has proposed for the consideration of Her Majesty's Government will receive that consideration, at any rate before we reach the next stage of this Bill. I certainly do not intend to follow the observations of the hon. Member for Cambridge (Mr. Smollett), except to remark that he began by taunting me for not having risen on the night when this Bill was introduced, and immediately seconding the Motion of the First Lord of the Treasury. Now, considering that I not only was not then aware what use was to be made of the powers which were proposed to be conferred on Her Majesty, but also that I had not at that moment, any more than the hon. Member, been favoured with a sight of the Bill that was to be brought in, it would, I think, have been rather premature for me to have offered myself as the Seconder of the measure. I now merely rise to call the attention of the House to one feature which I think may have been observed in the speeches that have been delivered to-night. The right hon. Gentleman opposite began by imploring the House, if possible, to arrive at a unanimous conclusion. My right hon. Friends who have spoken on this side also urged on the House the extreme undesirability, if it can be avoided, of dissension in such a matter as this, and they have all indicated that if there must—as I fear there must—be a division of opinion among us before the Bill leaves this House—at all events, that division should be postponed till the latest possible period. I cannot say I think the Motion of my hon. Friend the Member for Banbury (Mr. Samuelson) was unreasonable. It is hardly reasonable that a Bill should at once be read the second time, the purport and object of which was only communicated to the House this evening. But it appears to me that in assenting to the second reading the House will do no more than give its assent to one of the principles recited in the Preamble of the Bill—namely, that it is expedient that there should be a recognition of the transfer of government so made by means of an addition to be made to the style and titles of Her Majesty. The objections taken by the hon. Member for Glasgow (Mr. Anderson), and I believe by many other hon. Members on this side of the House, to the title which Her Majesty is to be advised to assume can certainly be discussed with equal advantage at a later stage of the proceedings. Therefore, I trust that my hon. Friend the Member for Banbury may think fit, with the permission of the House, to withdraw the Motion that he has made; and I hope, on the other side, that the Government will be willing to meet him in a conciliatory spirit by postponing the Committee on the Bill a sufficient time to enable Members of this House to consider the announcement which has been made to them to-night, and also for the consideration of the subject by the country. For although we are told we are legislating primarily in the interests of the people of India, we cannot forget that what we are doing may, to a great extent, affect this country and our colonies also. I hope, therefore, the Government will consent to postpone the Committee on the Bill to a reasonable period.

DR. KENEALY said, it appeared to him that the speeches of the right hon. Gentleman the Member for the University of London and of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) were unanswerable, and remained entirely untouched by anything that had been advanced on the part of the Government. He had hoped that the Government would have been able to produce documentary proof of the necessity for this Bill; but instead of that the right hon. Gentleman at the head of the Government had contented himself with sneering at the idea that the title of Emperor or of Empress was associated with military power, and he had to go back some 16 or 17 centuries, to the time of the Antonines, to refute it. The fact itself, however, tended strongly to confirm the assertion. The dedication of the *Faery Queen*, by Spenser, was not an argument, and ought not to have been seriously treated as such. He did not think the right hon. Gentleman was serious in employing it. He (Dr. Kenealy) objected to the title of Empress because it was a despotic one, and one not fitted for a constitutional Sovereign to adopt. Upon high political grounds he asked the right hon. Gentleman to defer this question until the country, with the information it now possessed, had pronounced upon it. The Imperial title had evil associations in India, and should we ever lose our hold on that vast country, where the light of education was beginning to spread, and where the spirit of freedom might soon awaken, how ignominious it would be for the Sovereign of this country to have to abandon the title which it was now proposed to assume!

Mr. SAMUELSON explained in reference to the imputation to himself of prejudice on the subject of the Bill, which had been made against him on the part of the Government, that he had given his reasons for objecting to the title of Empress; but he said that if prejudice did exist on the subject, nothing that had been said in reference to it by the Government had tended to remove that prejudice. He only wished to add that he was perfectly willing to withdraw the Amendment if the House thought it better that the further consideration of the question should take place on going into Committee. ["No."]

Question put.

The House *divided*:—Ayes 31; Noes 284: Majority 253.

Mr. PEASE said, he should be glad to know when the right hon. Gentleman proposed to go into Committee on the Bill. There had been very little time hitherto to consider it, and as the question was a new one opportunity ought to be given to them to consider it thoroughly.

Mr. DISRAELI: There is only one clause in the Bill, and, therefore, I propose to take it this day week.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Thursday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY — KNIGHTSBRIDGE BARRACKS.

RESOLUTION.

Mr. J. R. YORKE rose to move—

> "That this House ought not to be asked to vote the first instalment of £100,000 for the proposed reconstruction of Knightsbridge Barracks without the plans prepared by Mr. Wyatt being first produced and sufficient time being allowed for their consideration by Members."

The hon. Member observed, that it might be that Mr. Wyatt, the architect, would be able to carry out the improvements of which his right hon. Friend the Secretary for War had spoken on Friday last; but he failed to see how hon. Members could fairly be expected to vote the money for a purpose which was so unlikely to be attained until they had seen the plans of the architect. It was true that yesterday certain plans had been presented, but they did not include an elevation; and, besides, the House had only 24 hours to consider even the small instalment which had been produced. The right hon. Gentleman wanted the House to pass a Vote which virtually prejudged the question, and asked them to do this on his assurance that the wonders he described would be brought about. When he raised this question last year he asserted that the barracks were in a very bad condition, having been assured that they would not last another year. The right hon. Gentleman, however, put him quietly and firmly aside, and said that many years hence we should see the barracks still standing securely on the same site, and that only some slight repairs were required. This year the right hon. Gentleman had been obliged to confess he was wrong. He must remind the right hon. Gentleman that if he failed in this matter the failure would be most conspicuous, and that every time he rode in the Park he would be exposed to the criticisms of his friends. He did not wonder at the right hon. Gentleman not being in a hurry to produce the plans, because it was not an agreeable thing to submit details involving artistic questions to a miscellaneous body of Gentlemen like the House of Commons. Earlier in the evening the right hon. Gentleman had replied to a Question about a plan of a model Cavalry barrack, designed many years ago by Mr. Wyatt. He understood it was in consequence of that plan that Mr. Wyatt had, in his right hon. Friend's opinion, attained a position which entitled him to be selected as the architect of the new barracks. He thought it desirable that hon. Gentlemen should have an opportunity of comparing the old with the new plans of Mr. Wyatt, in order that they might see how far the ideal differed from the actual, and how far that departure had become necessary owing to the restricted site on which the building must be erected.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House ought not to be asked to vote the first instalment of £100,000 for the proposed reconstruction of Knightsbridge Barracks without the plans prepared by Mr. Wyatt being first produced, and sufficient time being allowed for their consideration by Members,"—(*Mr. Reginald Yorke,*)

—instead thereof.

MR. NEVILLE-GRENVILLE said, he could not conceive why his hon. Friend, with the assistance of some elderly ladies and gentlemen at Knightsbridge, should have taken such an antipathy to the barracks, and should have got up an agitation against them, both as they were and as they would be. He had attended one of the hon. Gentleman's meetings, when he heard an elderly general officer, who never was quartered at the barracks, donouncing them, but no "model private" appeared on the platform, and he had heard another old officer taking an entirely different view. He might mention that his hon. Friend had seen the plans and had them explained to him by an eminent Engineer officer. If the barracks were to be rebuilt on the present site—and he saw no reason for their removal—the best use had been made of the land according to the plans. Mr. Wyatt had been selected not merely because of the model plan which had been referred to, but because he was also the architect of many ornamental buildings in London. If barracks were to be agitated against, they would have agitation for the removal of the Wellington and the Regent's Park Barracks. They must have barracks; and, considering the high character the soldiers received, he did not see why the inhabitants should wish for their removal. He had lately seen a letter in *The Pall Mall Gazette,* signed by the well-known name of "Henry Cole," suggesting that in place of the three acres on which the present barracks stood, three acres should be taken from the Park on the other side of the road; a suggestion which was highly worthy of attention.

MR. MITCHELL HENRY said, it might be true that Knightsbridge was the proper site for Cavalry Barracks, but they were going to put 450 horses upon the ground-floor, and above them they were going to quarter a great number of men and women and children. Some years ago there had been a Commission of Inquiry into the proper mode of constructing barracks. The mortality which had occurred in our barracks in India and at home was not creditable to us, and was due to the construction of these barracks in violation of the principles of common sense. The Commission he referred to was, therefore, appointed, and condemned, on sanitary grounds, the placing of men over horses in barracks. It was said that shafts were to be constructed in order to carry off the foul air from the stables; but there would be windows in the stables, and if these opened, the foul air would rise into the quarters above, and what would be the use of the shafts? If the barracks were to be placed at Knightsbridge, a slice should be taken from the Park, the road diverted, and proper barracks constructed, not such as would be a disgrace to the sanitary science of the present day, and would embody every evil protested against by the Sanitary Commission.

MR. GATHORNE HARDY said, the proposed barracks would be erected upon the best sanitary principles, combined with architectural fitness. Sir William Muir, the Director General of the Army Medical Department, had carefully inspected the plans and had been satisfied with them from a sanitary point of view. In the model barracks which had been proposed by Mr. Wyatt, comprising 22 acres, the horses were to be put underneath the men's quarters; and Shorncliffe and Colchester, which were our most recently-constructed Cavalry Barracks, were both built in the same way. At Colchester it was found that the men were, in some respects, more healthy over the horses than in separate rooms, and the sanitary results were much the same either way. In London, where the coachmen, with their wives and children, slept over the stables, he did not hear of any excessive illness or mortality among them. But the new barracks would not be treated in this way. The stables would project beyond the rooms above, a larger space would be given to the horses than was required by the Sanitary Commission, and so it would be with the rooms above, and the ventilation of the stables would be quite distinct from that of the rooms over. Thus overcrowding would be avoided and proper sanitary provision would be made. Unless these precautions were taken he should not sanction the construction of the barracks. A deputation had waited upon him today, and nothing could be more comical than their various suggestions and differences. In the first place, Millbank was abandoned by everybody. Then it was recommended that he should put the barracks where the Ranger's house was, and thus exhibit his architectural skill in the middle of the Park. But if people doubted his power to build anything worth having at Knightsbridge he was not prepared to run the risk on the site of the Ranger's house. Sir Henry Cole, a gentleman of enlarged ideas and great æsthetic taste, said—"Don't talk about estimates, but place your barracks where you have now the exercising ground." He did not think, however, that the best site for such a building would be where it would obstruct the view of the Albert Memorial; and, besides, it was a place which on Sunday was the most frequented part of the Park. Then as to Chelsea, if he built there he must build on concrete, which would add greatly to the expense, the boys would have to be removed to another building, and the pensioners of Chelsea Hospital would have to be sent to the country, which would also add greatly to the cost. Then Kensington was spoken of the other night; but if he set about building a barrack there, what reception would the owners of the palatial residences in that quarter be likely to give it? In short, the question came to this—he wanted to build; at Knightsbridge was a site ready, and, according to high engineering, architectural, and medical authorities, he could raise a building there which would be picturesque in appearance and would meet every sanitary and military requirement. When hon. Gentlemen talked of the health of the Horse Guards, they usually seized on the year 1873 to prove their case; but it was enough to say that the Horse Guards were not in Knightsbridge Barracks at all in that year. The proper thing to do, however, was not to take one year; and if a period of 10 years was taken, it would be found that the health of these troops was very much the same as that of the other Cavalry. But the fact was, the Horse Guards were bigger men than the rest of the Army, and bigger men it was alleged were more liable to consumptive diseases than smaller men. Allusion had been made to the part which an officer of high position had taken in this matter. He would not say that the officer in question had literally infringed the Queen's Regulations. But here was a colonel on full pay discussing questions under the consideration of Government in public, and suppose instead of one colonel 20 or 100 had gone to the meeting and expressed their opinion, where would the discipline of the Army be? With regard to the position of Mr. Wyatt, he wished to say a few words in explanation. Some years ago, when sanitary matters were beginning to be understood, there was a great competition for building barracks. The Inspector of Fortifications, however, reported that of all the plans sent in there was not one which could be adopted as a model, though some had merits in one way and some in another, and he recommended that no prize should be awarded, but in the end one was given to Mr. Morgan for Infantry Barracks and to Mr. Wyatt for Cavalry. Mr. Morgan had built infantry barracks, and since that time every Secretary of State had admitted that a pledge was given to Mr. Wyatt that when Cavalry Barracks were to be built he should have the contract. We were now, therefore, in this position—there was a site, he had laid before the House the plans which would fulfil every sanitary and other requirement, and he called upon them, therefore, to put him out of his misery and say what he was to do.

SIR GEORGE BOWYER said, he hoped the right hon. Gentleman would not try to construct a picturesque barrack, but would erect a plain building, without ornament, in good proportion, and adapted to its purpose. The picturesque buildings which they had lately had were an example of what ought to be avoided.

SIR ANDREW LUSK said, the public feeling was against the right hon. Gentleman in this case, and such feeling should not be ignored. The public did not want a barrack at Knightsbridge; but he must confess he sympathized with the right hon. Gentleman, because wherever he might take the barracks nobody wanted them and every one would protest.

GENERAL SHUTE said, that whether the new barracks would be ornamental or not there was no doubt but that our magnificent Household Troops were highly ornamental, and ought not to be buried in the slums. He lived at Rutland Gate during the Session and could testify that their conduct was admirable on all occasions. He thought the neighbourhood of the barracks objectionable, but the licensing magistrates were chiefly to blame. Since the debate of last Session in the other House he had made a point when passing and repassing of occasionally looking into the public-houses there, and he had not seen a Life Guardsman or a man of the Blues in one of them. Questionable characters of the other sex were there in large numbers, but he never saw any of the Household Cavalry speaking to one of those women. He saw a number of horsey-looking, slangy fellows in tight trousers, and felt puzzled to know how they got into them or how out of them. He believed that Tattersall's was, next to the magistrates, most responsible for what they saw at Knightsbridge. It was not for him to say where the barracks should be built; but if ever the Household Cavalry should be wanted to act in support of the civil authority, it was not desirable that they should have to march through streets to gain the place of assembly.

MR. MUNTZ believed that the only public opinion which was against the proposed site was that of gentlemen living in the immediate vicinity. The reason given by the hon. Baronet (Sir Andrew Lusk) was, to his mind, conclusive that the barracks should remain on or as near as possible to their present site. The hon. Member was an economist. What would he say to a demand for perhaps £100,000 for a new site, when improved barracks could be erected, as proposed, without the cost of purchasing a new site? The Mover of the Resolution suggested that they should place the barracks near the powder magazine. If they did that and a flash of lightning fell on the powder magazine, they would have the whole of Her Majesty's Life Guardsmen blown up.

MR. O'SHAUGHNESSY said, it was conceded that in a strategical point of view Knightsbridge was the best site they could have for those barracks, and also that if they were erected anywhere else the inhabitants would raise the same objections as were heard at present. If any one class more than another ought to set the example of placing the soldier on an equality with themselves and showing that they thought him fit to live with the rest of the community, it was men of high social position as Members of that House.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 195; Noes 46: Majority 149.

ARMY — ACCOMMODATION IN BARRACKS.—OBSERVATIONS.

MR. A. M'ARTHUR called attention to the overcrowding in many barracks throughout the country, and contended that the Secretary of State for War would not succeed in getting steady and respectable men for recruits, if, in addition to increasing the soldiers' pay, he did not provide them with proper accommodation in their barracks. There were, he must admit, difficulties in the way of carrying out improvements in this respect at some of the barracks, where the space was limited, but that was not the case at

Aldershot and other places, where the room was abundant. He thought that from £200,000 to £300,000 might be well spent in increasing the comfort of soldiers at those places, instead of devoting the money to increasing the Army, because he believed it would hold out an inducement to men to stay longer in the service than they did now. He hoped the Secretary of State would direct his attention to this important subject.

LORD EUSTACE CECIL said, the Secretary for War had had this subject under his consideration for some time, and it was one in which his right hon. Friend took a great interest. As the hon. Member had admitted, there were difficulties to contend with—such as the peculiar construction of casemates and the difficulty of ventilation—and very little could be done under the circumstances; but what little could be done would be done by his right hon. Friend.

ARMY—MILITIA ADJUTANTS.

OBSERVATIONS.

VISCOUNT EMLYN, in calling attention to the pay and allowances of Adjutants of Militia, said, he was sure that when the Warrant regulating the pay of those officers was issued the Secretary for War had every intention of dealing fairly with all the Adjutants of Militia; but he thought the right hon. gentleman was not aware how it would act as to some of them. The effect of the Warrant generally was this: It increased the pay of Infantry Militia Adjutants from 10*s.* to 11*s.* 7*d.* per day, or £28 a-year, and of Adjutants of Artillery from 10*s.* to 11*s.*, which would be an increase of £18 a-year; but every officer receiving half-pay would be excluded from the allowances which were paid to Militia Adjutants as Paymasters and Quartermasters. So that, under the new Regulations these officers would receive considerably less than they did before; and, as he was sure the Secretary of State for War could not desire this, he hoped that some alteration would be made in that respect.

SIR RICHARD GILPIN also expressed a hope that the condition of the officers would receive the attention of the Secretary for War.

LORD CLAUD JOHN HAMILTON said, since some of these gallant Gentlemen had accepted their position of Adjutant, the Secretary for War had thought fit, no doubt acting on advice, to issue a new Warrant with regard to the pay. What was the effect of the Warrant? Why, an able and deserving officer was liable to lose from £30 to £40 a-year. This the officers could not afford, and it was of the highest importance to the efficiency of the Militia that the grievance should be removed.

SIR WILLIAM FRASER considered the defence of our coast a most important question. On our South Coast we had Plymouth, Portland, Portsmouth, and Dover, not only almost impregnable fortresses, but also vast entrenched camps, capable of holding so large a force that no enemy dared have them in his rear; but on the East and North-east Coast there were no similar defences. In the beginning of this century towers copied from that at Martello, in South Italy, were erected on the South-east Coast. It was true the poet had sung—

> "Britannia needs no bulwarks,
> No towers along the steep;
> Her march is o'er the mountain waves,
> Her home is on the deep;"

but his practical mind would be the first to perceive how necessary for security would be fortifications near the coast. In these days we had moveable fortresses, and it seemed to him (Sir William Fraser) most desirable that troops to the number of 30,000 men should be practised in embarking and disembarking; besides the regimental embarkation which was constantly going on.

COLONEL NAGHTEN believed the Militia to be one of the chief defences of the country, and thought the subject which had been brought before the House deserving of its most serious consideration, and that the grievances under which the Adjutants were labouring ought to be attended to. He complained that the duties of Paymaster and Quartermaster were thrown upon the Adjutants, and strongly recommended that they should be allowed horses, the use of which was one of the necessities of their position.

MR. STANLEY having congratulated the noble Lord behind him on the able and temperate manner in which he had laid the grievances of which the Adjutants complained before the House, explained that the state of things which his right hon. Friend at the head of the War Department found prevailing when he came into office was so anomalous that he decided to anticipate the operation of the depôt system, and to place all the Adjutants of Militia on the same footing as those of the Line. A great many complaints were, concurrently with that decision, made by the old Adjutants of Militia that they had new duties to perform. They were anxious to retire; but the allowance was so small, that it offered no inducement to them to retire. The Secretary of State took up the question, and having regard to the fact that a great number of officers were on compulsory half-pay, who were anxious to return to the Service—who were costing a great deal of money without doing anything for it, he proposed an arrangement by which an exceptional rate of retiring allowance should be given to the Militia Adjutants who chose to retire, filling up their places by officers who were on half-pay. But it was clearly stated, and so understood, that that was an exceptional and not the normal rate of allowance. Those officers who did not retire remained with their eyes open, knowing that they would be liable to the duties performed by other officers at the depôt. Then, as to the complaint that the allowances of the officers had been cut down, he need only point to the fact that their total emoluments formerly were £308 10*s.* 9*d.* per year, whereas now they amounted to £329. One item of allowance—namely, £3 for recruiting—had certainly been cut down; but if the officer had to go considerable distances the £3 would not be gained. They were now placed on the Line footing, and received the actual expenses out of pocket. With respect to another matter which had been referred to, he might say that steps would be taken not to put the new scale into operation until the day the Circular was received. He had to inform his hon. and gallant Friend the Member for Bedfordshire (Sir Richard Gilpin), that the system of appointing the officers referred to supernumerary Majors of their regiments had been attended with great benefit to the public service, the old Adjutants remaining and being of special service to the young officers. With regard to the drawback of pay, it was true that in the older Militia Acts there was a reservation in favour of half-pay; it was made under totally different circumstances from those which now existed. It had been said that a difficulty was experienced in certain cases in finding officers willing to come forward for a limited time. All he could say was, that so far from there being any want of officers, there had been, with only two exceptions, not only a sufficient, but a very large number of officers from the active battalions willing to serve with the Militia. Complaint had been made that Paymasters' and Quartermasters' duty had been thrown upon the officers, and it was true that such was the case during the intermediate arrangements consequent upon the formation of the brigade depôts. He hoped that in a short time that would cease to be so; but if it did not, his right hon. Friend the Secretary for War would make some allowance for what was certainly a very arduous duty. With regard to the suggestion that the troops should be practised in embarkation and disembarkation, he could state that the present practice was fully equivalent to that of the troops of any foreign country. It should be remembered that from the nature of things the Army of this country had a greater opportunity of learning how to shift for itself under various circumstances of embarking and disembarking than any other Army had. As to directing such practice to take place on particular points of the coast, he must speak with great reserve; because, whatever might be the advantages of internal manœuvres, great discretion should be used in laying down the points of the coast which were considered most applicable to such operations.

EARL PERCY said, that without blaming the Secretary of State, inasmuch as he had simply carried out the policy his predecessor had inaugurated, he could not help thinking that faith had been broken with those old Adjutants who had entered the Militia on the understanding that they were appointed permanently, and who had, in consequence, given up their chance of promotion in the Regular service, and served Her Majesty thoroughly well in the Militia. The War Office had called upon them to do a large amount of additional duty, and to place themselves at the beck and call of several masters, and if they did not like to do so they were to receive a pension far below that which they were before receiving. This was rather hard upon officers who had done good service, both in the Regular Army and the Militia.

Mr. STANLEY said, he hoped he had made it clear that there had been many applications for retirement from these officers.

ARMY—PAY OF SOLDIERS AND MARINES.—OBSERVATIONS.

Sir HENRY HAVELOCK rose to move—

> "That, while recognizing the necessity for increased expenditure on the Army, in consequence of the largely increased inducements of the labour market, this House is of opinion that it is inexpedient to provide for the Militia Service, without having before the House a detailed statement of the mode of application of the largely increased sum for deferred pay and increased pay, and of its total amount for the present and for future years; and that no measure for increasing the efficiency of the Army is complete that does not include an improvement of the Militia Reserve and the diminution of the present competition between the Line and the Militia for the same class of men."

The hon. and gallant Gentleman said, he was not unfavourable to the principle of deferred pay.

Mr. SPEAKER intimated that the hon. and gallant Member could not now move the Amendment, the House having voted that the words "That I now leave the Chair" stand part of the Question.

Sir HENRY HAVELOCK said, he would defer his remarks; but he wished to express an opinion that instead of voting so large an amount of deferred pay, it would have been wiser to proceed by tentative steps. The Army Estimates were increased this year by £600,000, and it appeared that this increased item for deferred pay would, in 21 years, amount to £500,000 a-year. He should have preferred a return to the system of bounties, objectionable as it was in some respects, until it was seen whether this large increase of expenditure was necessary, although in principle he was favourable both to deferred pay and increased pay.

Captain NOLAN denied that the pay of the soldier had been increased. Formerly he was enlisted with the prospect of a pension, which was equivalent to 1*s.* 10*d.* a week distributed over his weekly pay. The Secretary for War proposed to give rather less than 1*s.* 2*d.*—less because deferred—which was 8*d.* less than we formerly gave. He denied that the 4*d.* given to the Reserve was any increase of pay, because it no more than fairly balanced the contingent liability to be called out for service.

Mr. GOSCHEN said, that with regard to the Marines a Question had already been asked by the hon. Member for Reading (Mr. Shaw Lefevre) as to whether, in consequence of this addition to the soldiers' pay, a similar addition would be made to the pay of the Marines, when the First Lord of the Admiralty stated that nothing had been settled in regard to the subject. He thought he might assume that the Secretary for War had since then been in communication with the First Lord on the matter. With regard to India, he understood that an increase would also be given to the soldiers there, and he desired to have an accurate statement of the effect of that increase on the Indian finances. It would have been better if the information as to the effect on our own finances which had been furnished that morning had been supplied before the Vote was taken. If, instead of proposing deferred pay, the Secretary for War had proposed an immediate increase of 2*d.*, the proposal would have excited more attention than it did now, when only £19,000 was added to the Estimates, although the increase of liability amounted to £320,000 a-year. He acquitted the right hon. Gentleman of any idea of lightening the present Estimates, because he proposed deferred pay on its own merits; but when a measure involved a large liability and an accruing charge, the fullest information ought to be furnished as to the effect upon the finances both of India and England from year to year.

General Sir GEORGE BALFOUR cordially supported the Motion of his hon. and gallant Friend the Member for Sunderland, and urged that the information which he asked for as regarded the application of the large additions to the pay of the non-commissioned officers and soldiers should be furnished, even though the Resolution could not be put. It was only right that time should be afforded for Members to study the details. Large increases had of late years been made to the pay of the soldier, particularly by General Peel and subsequently by Lord Cardwell, without any visible good, in inducing men to enlist. With regard to the remarks of the right hon. Gentleman the Member for the City of London, he also cordially deprecated unnecessary increase of the military expenditure of India, which, year after year, had occurred. It was desirable that the House should have the full details of the measures of the right hon. Gentleman placed before them, both with regard to the Army in India as well as at home. The additions made by General Peel to the pay of the Army at home had increased the military expenditure in India, as was reported, by one-third of a million, without the slightest good being effected. Since then the charges for bounty and kit on soldiers extending their service to India had been continued, adding thereby most uselessly to the military charges of India.

MR. GATHORNE HARDY said, he thought he had some reason for surprise at the course which had been taken on this subject. With regard to deferred pay, he had stated the sum total in the first instance. It was rather over than understated; and with respect to the proposition of the right hon. Gentleman the Member for the City of London (Mr. Goschen), that they should vote the whole sum as it arose, there never was any such financial proceeding. They might as well in the matter of buildings insist on taking at once the whole sum that would be spent in future years. The normal amount of expenditure would not arise for many years, and a great many things might occur to modify it. This was a very outside Estimate. The House had not been at all left in the dark. He had told them the whole sum that would be required; therefore, there could be no delusion with respect to it. There had been two nights' debate practically on the first Vote, and now the same discussion was revived. He made no complaint. He invited discussion at the first; he only wanted the House to understand that he had kept nothing back. With respect to India, when he came into office he found it difficult to arrive at any accurate conclusion as to the cost of different branches of the Army, and he admitted that this year he did not pretend to do more than give a rough estimate. There was no doubt, however, that India would have to pay a considerable sum in consequence of the deferred pay. The Reserve would not affect India. It was kept for our own purposes, and would therefore be paid by this country alone. As to the question of the pay of the Marines, this was hardly a proper question to address to the Secretary for War, who had no control whatever over the Marines. The great increase of pay which had been talked of would probably turn out a very moderate increase; but so essential did he deem this proposal to be, on the eve of the time when there must be a large increase in the number of recruits, that he should have found it necessary to make the proposal even if it had cost much more. The cost might be great, but the necessity was great. He had made the proposal in as moderate a form as possible, had made it as openly as possible, and did not think there was fair ground for the criticisms which had been made on this point.

MR. SHAW LEFEVRE said, that the increased pay involved, almost inevitably, a similar step as regarded the Navy, and there ought to have been a statement from the responsible head of the Navy. He complained, too, that the Treasury, to whom the subject would be referred in the ordinary course of business, did not seem to have inquired what was proposed with regard to the Marines. The Navy Estimates contained no provision for increased pay to the Marines, though the invariable practice had been that the pay of this corps should be the same as the pay of the Army. As to India, though it was admitted that the charge would throw increased burdens upon that country, we had no information what the amount of those burdens would be. The statement placed on the Table should have shown the total increase, and then the charge to both countries. As it was, though the increase was only £19,000 for the year, the proposal of the right hon. Gentleman would ultimately entail upon the country and India a total burden of something like £600,000 or £700,000 a-year. Such an increased charge might be necessary or unnecessary, but it required more careful consideration than had hitherto been given to it.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £672,700, Militia Pay and Allowances.

COLONEL HAYTER called attention to the deficiency in the ranks of the Militia, mounting to 33,858 men, and urged that the only way to remedy it was to carry out the Brigade Depôt system completely. The Vote had been growing of late years; this year it had been greatly increased, and no satisfactory accounts had been produced.

MR. GATHORNE HARDY explained that the reason so many regiments were so far below their full strength was that the quota assigned to them was beyond their power of completing, and it would be best to fix the establishments according to the resources at their disposal. He intended to institute a searching inquiry into the condition of the Militia, and he hoped to be able to put it in a satisfactory condition.

MR. RITCHIE stated the Militia officers had to undergo a searching examination before they could obtain promotion. He called attention to the fact that sergeants of the Line who helped in the training of the Militia regiments received higher pay while engaged in that duty than their superior officers, the Militia sergeant majors.

LORD CLAUD JOHN HAMILTON expressed an opinion that a great mistake had heen made in substituting the system of enlistment for that of enrolment in the recruiting of the Militia. If the enlistment system were persisted in, the Militia force, especially in Ireland, would cease to exist.

GENERAL SIR GEORGE BALFOUR said, he was glad there was to be such an inquiry into the condition of the Militia as the Secretary for War had indicated, that the nation might see how far they could rely on that Force. We heard the First Lord of the Admiralty speak of our Navy as a Paper Fleet, but the designation was far more applicable to our Militia. The test of the state of that Force was afforded by the figures in the annual training Return. Out of 3,859 Militia officers only 2,835 were present on the day of training; one-fourth of the sergeants and corporals were absent, and 10,069 privates were absent without leave, and only 84,316 privates out of a total of 123,668, forming the established strength, were present. If from these he deducted the Militia Reserve, available for the Regular Army, then we had only about 55,000 privates remaining in the Militia; the most serious evil was the rivalry for recruits between the Militia and Regular Forces. It was useless to assert that these two classes of soldiers were drawn from different parts of the population. All our experience in the early years of this century was at war with that assertion. The latest and best evidence was that of Sidney Herbert, who, in his speech of 17th February, 1860, distinctly asserted that the class of men who entered the Militia for permanent service were—

> "In point of fact exactly the same as those who are embodied in the Army, so that you are establishing a competition against yourself."

But there was also another, and a more serious objection, and that was the positive want of men to meet the recruiting requirements of the Forces now maintained. Theoretically those Forces ought to be entirely replaced in six years, allowing for the various casualties, and consequently needing about 60,000 recruits annually. But judging from the numbers obtained by conscription and universal service in France and Germany, the population of the United Kingdom could not supply 130,000 youths in each year fit for military service, even if the conscription were in force. And deducting from that number the classes of youths who at present refused to serve either in the Militia or Regular Army, as private soldiers, then the numbers available out of the classes who now supplied recruits, could not equal the number of 60,000 he had mentioned. In proof of that, there was seen to be no fewer than 26,069 privates of Militia actually wanting, so that they had nearly one year's supply deficient. All that proved how necessary it was to investigate the state of this Force, in order to decide as to whether its old constitution of a purely local Force was not more suitable.

Vote *agreed to.*

(2.) £74,400, Yeomanry Cavalry Pay and Allowances.

MR. STANLEY explained that, in reality, there was no reduction made in the amount of the Vote. The whole question was under the consideration of his right hon. Friend, who would no doubt do justice to all parties.

Vote *agreed to.*

(3.) £458,000, Volunteer Corps Pay and Allowances.

Mr. J. W. BARCLAY said, it was very satisfactory to find that so large a proportion of the Volunteers were in an efficient state. A very large proportion of the officers also was efficient. With respect to firing the Volunteers were very much superior to the Militia.

Sir WALTER BARTTELOT observed, that there was a great deficiency of Volunteer officers, and urged that something should be done to increase their number.

Mr. GATHORNE HARDY admitted there was a deficiency of officers, but with regard to the Volunteers themselves there was an increase of over 7,000 this year. He could hold out no hope of increased payment except for increased efficiency.

Vote *agreed to.*

(4.) £132,000, Army Reserve Force.

The Marquess of HARTINGTON asked what steps were being taken to accelerate the formation of a First Class Army Reserve? He knew that the new system had hardly come into operation; but it would be satisfactory to know that the right hon. Gentleman had the subject under his consideration, and that he intended urging upon the commanding officers the duty of passing through the ranks men who would form a good reserve.

Mr. GATHORNE HARDY reminded the Committee that the system inaugurated by his Predecessor would not come fully into operation until next year. Unless the recruiting enabled commanding officers to keep up the regiments to their establishment, the Government could not call upon the commanding officers to pass on their men into the Reserve before the time at which they could claim their discharge. It was calculated that in 1879 the total addition to the Reserve from the present date would be 20,437, a considerable force. He assured the noble Lord he would do his best to expedite the formation of the Reserve.

Vote *agreed to.*

CATTLE DISEASE (IRELAND) BILL.

(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland.*)

[BILL 94.] SECOND READING.

Order for Second Reading read.

Sir MICHAEL HICKS-BEACH, in moving that the Bill be now read a second time, said, its object was to extend to Ireland the powers of compulsory slaughter of cattle affected with pleuro-pneumonia and other diseases, as they were now and had been for some time exercised in England and Scotland.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Michael Hicks-Beach.*)

Captain NOLAN said, he hoped the Bill would not withdraw any help they had hitherto had from the Constabulary.

Mr. O'SHAUGHNESSY objected that the Bill would throw a large amount of the compensation on towns in rural districts, while the districts themselves would escape without any contribution whatever. That was an anomaly which he should be glad to see removed.

Mr. J. W. BARCLAY said, he was very glad that the Government had now resolved to put the three countries on the same footing as regarded those diseases, and he hoped they would deal in the same way with the foot-and-mouth disease.

Mr. SULLIVAN said, it was most objectionable that the administration of the Bill should be thrown upon the guardians of the poor.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

COUNTY PALATINE OF LANCASTER (CLERK OF THE PEACE) BILL.

(*Mr. Hardcastle, Mr. Holt, Mr. Clifton.*)

[BILL 53.] CONSIDERATION.

Bill, as amended, *considered.*

Clause 1 (Appointment of deputy clerks of the peace).

Amendment proposed,

> In page 1, line 20, to insert after the word "standing," the words "and shall reside and have an office within the district for which he is appointed, and the clerk of the peace shall have no interest in the emolument of any deputy clerk."—(*Mr. Rathbone.*)

Mr. HARDCASTLE opposed the former part of the Amendment as unnecessary, and the latter part as contrary to the object of the Act.

MR. ASSHETON CROSS, as a county magistrate of many years standing, opposed the Amendment, but rose more particularly to say that the magistrates of Lancashire—Whig, Radical and Tory—were almost unanimous in favour of the Bill. It was not in any sense a party question.

Question, "That those words be there inserted," put, and *negatived.*

Bill to be read the third time *Tomorrow.*

BURGESSES (SCOTLAND) BILL.

(*Mr. M'Laren, Mr. Anderson, Mr. Yeaman.*)

[BILL 48.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

MR. W. HOLMS moved to report Progress. He did so with regret, as he approved of the object of the Bill, but he had received a telegram that afternoon to the effect that the Bill would seriously affect the interests of the Burgh which he represented. He therefore asked for delay, for further consideration of the measure.

MR. M'LAREN said, he hoped the Motion would not be agreed to. He should be willing to agree to the insertion of any words which would protect the rights of any burgh, provided they were in accordance with the principle and object of the Bill.

MR. J. W. BARCLAY trusted the Bill would be allowed to proceed.

DR. CAMERON said, the Bill might inflict a slight loss upon some burghs; but he did not think that ought to stand in the way of proceeding with the Bill.

MR. CAMPBELL - BANNERMAN said, that the Bill, if passed in its present form, would involve a loss to Stirling equivalent to a rate of over 1*d.* in the pound. He therefore hoped it would not be pressed at present, in order that Amendments might be framed with a view to prevent harm being done. Although the Bill might be a very good one for Edinburgh, it did not follow that it would be equally good for all the other interests affected by the measure.

MR. M'LAREN said, there were only about 2 burghs out of 70 that were against the Bill, and the object of the Motion for delay was for the purpose of defeating the Bill in the interest of those burghs.

Motion *agreed to.*

Committee report Progress; to sit again upon *Monday* next.

MUTINY BILL.

On Motion of Mr. RAIKES, Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their quarters, *ordered* to be brought in by Mr. RAIKES, Mr. Secretary HARDY, and The JUDGE ADVOCATE.

Bill *presented,* and read the first time.

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Friday, 10*th March,* 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Council of India (Professional Appointments) * (28).
Second Reading—Epping Forest * (24).
Committee—Report—Drainage and Improvement of Land (Ireland) Provisional Orders * (21).
Report—Appellate Jurisdiction * (23).

THE MERCANTILE MARINE—TRAINING SHIPS.—OBSERVATIONS.

THE EARL OF SHAFTESBURY rose to call the attention of the House to the subject of Training Ships for the Mercantile Marine. The House might ask why he had undertaken to bring this question before them? His reply could only be the interest he felt in common with all subjects of Her Majesty in this matter, and that, having been connected for many years with training ships in the Thames for the Mercantile Marine, he had learned the value and the necessity of these ships, and the capacity of the lads who were trained on board of them. He had waited, too, in the hope that the noble Duke who had presided so ably over the Unseaworthy Ships Commission (the Duke of Somerset) would introduce the question to their Lordships; but, as the noble Duke had not done so, he had ventured to do it himself. But by whomsoever introduced, their Lordships, he was sure, would recognize the importance of the subject. He should avoid as far as possible all details relating to the Royal Navy, not only because he might be charged with getting into water much out of his depth, but also because he should thus keep before the House the question in all its simplicity. He had another inducement to do so, caused by the language of a distinguished Gentleman, Mr. Goschen, who, while he filled the office of First Lord of the Admiralty, used these ominous words. In the debate of July, 1872, on Mr. Graves' Motion, he said—

> "The House did not think it was the duty of the State to produce sailors for the Mercantile Marine."

Again—

> "As to its being the duty of the State to educate sailors for the Mercantile Marine, he felt confident that opinion would not commend itself to the country at large."

Again—

> "Existing training ships had been established not for the purpose of increasing the numbers of the Mercantile Marine, but with charitable and philanthropic motives, for the benefit of the boys rather than of the service." . . .

He added—

> "He did not know that the boys, considering that they were discharged at an early age and were of an inferior *physique*, would be very suitable for the Navy or the Mercantile Marine."—[3 *Hansard*, ccxiii. 132-4-5.]

Now surely this assertion, true if looked at from one point of view, was quite untrue if looked at from another. It was true that the Government was not under a duty to provide sailors for merchant ships, pure and simple; but if it were shown—and shown it had been a thousand times over — that the Mercantile Marine was at all times, and especially in cases of emergency, one of the very best sources for a supply of seamen to the Royal Navy, it was the wisdom, if not the actual office, of the Admiralty to provide that the means of supply should be in the best possible condition. The Commission, moreover, had affirmed that principle of national duty and interest; for while it protested and provided against unseaworthy ships, it equally protested and provided against unseaworthy men. Now, the necessity was very urgent, and daily increasing. Among other proofs of the approaching want of fit and able men for the service was the large and rapid decline in the numbers of men employed in the collier trade—the most abundant and effective nursery of seamen that England ever possessed. To this decline the testimony was universal; and not less so was it to the hardihood, skill, and courage of these men, who were capable, after very short training, of becoming equal to the best in ships of war. There were fears, too, of a falling-off in the spurious and uncertain supply of foreigners to man the vessels—a source of supply bad enough in time of peace, but hopeless in time of war—and, indeed, perhaps a means of furnishing to the enemy a body of seamen hostile to the country that had trained them. The Commission observed upon this, and said—

> "The general tendency of the evidence, however, leads to the conclusion that there is a deficiency of British able seamen; captains of merchant ships could not, it is said, man their vessels without Swedes, Norwegians, and Lascars."

The number, too, of those foreigners had been variously put; he had seen it stated at more than 100,000, and in a Petition he presented a few days ago from the Seamen's Mutual Protection Society he had read these words—

> "That your petitioners—British seamen employed in the British Mercantile Marine—are subject to great disadvantages by reason of the extensive employment of unqualified foreigners and other serious drawbacks, which can only be remedied by practical legislation.
>
> "That great injury and danger to the best interests of the kingdom result from the large and increasing employment of foreigners and Lascars in British ships.
>
> "That within the last few years the proportion of foreigners to British seamen has reached more than three-fourths of the whole."

Now, there were required, so it was estimated, about 300,000 men for the Mercantile Marine; but the wear and tear from all causes demanded, so he found in the Report of the Liverpool Committee of Inquiry, composed of shipowners, in October, 1874, about 16,000 men. We get, said the Report, about 3,500 per annum from the

> "apprenticeship system, and probably as many more from training ships, so that there remain about 9,000 to be got from all other sources; and what these sources are the present condition of our forecastles abundantly testifies, and it is this void the Committee desires to see filled with good men."

But it should be observed that if our Mercantile Marine were to be furnished, not by foreigners, but by British subjects, the numbers to be supplied must be much larger; and those, too, of efficient and able seamen. Now, for all this great purpose there were but eight, or at most 10, training ships in London and the various ports. Three of these were reformatory ships, the rest industrial. He need not detain the House by a specification of them—they were, all of them, doing a good work, though in different proportions. The testimony of Mr. Burns, the chief proprietor in the Cunard Company, was very strong on this point. In answer to Question 15,199, he said—

> "The manner in which I would propose to deal with the question is to avail ourselves of training ships. Upon that subject I can speak with some amount of experience. I happen to be President of the training ship in which there are the greatest number of boys that there are in any training ship in this country; that is, the *Cumberland*, which is stationed in Gare Loch. A number of boys like to go to sea in preference to following any other occupation, and they go to a training ship. They do not learn on board the training ship all the hard vicissitudes of a sailor's life, but they learn a great deal; they are taught mathematics, astronomy, geography, manning boats, reefing sails, and that sort of thing. We find in the *Cumberland* that the in-put of boys is inexhaustible, and that the out-put is inexhaustible; we have no difficulty in getting the material to go into the ship, and we have no difficulty in getting the boys provided for in the Mercantile Marine of this country. You find that shipowners are willing to take them?—Yes. He added—I have seen 20 of them in a boat in a heavy sea, and I have seen their ability with the oars, and their ability in steering, and their pluck. All that is training them in what is wanted when they are put into ships. It seems to me that we should not only encourage, but insist upon the establishment of training ships around the coasts of Great Britain. Old men-of-war could not possibly be put to a better purpose than making them nurseries for our sailors.
>
> "18,294.—Mr. Macdonald, chairman of the Liverpool Shipowners' Association, replies—We have taken boys from a training ship, and they have proved really valuable from their first going off. The other day we took some youths from the *Indefatigable*, and shipped them as ordinary seamen. They were out in exceedingly rough weather, and proved themselves exceedingly valuable."

Again (18,291), the same witness stated—

> "Our committee made inquiries from parties whom they thought likely to give them information, shipowners, shipmasters, and others, and the majority of the evidence was to the effect that the men had greatly deteriorated."

Hence the inevitable result—a matter of universal complaint—that so many vessels were undermanned or unfitly manned—a state of things passably well in easily navigated and tranquil seas, but not so at other times. Now, in respect of modes of training, there were some opinions, he knew, in favour of land schools instead of training ships. He would not enter into the question, because it really required more evidence and investigation. To training ships he had heard three objections—the cost, that few of the lads went to sea, and that many deserted—objections likely to prevail under any system; but these varied very much in the different ships—and, indeed, they were capable of considerable remedy. As for cost, he must call the attention of their Lordships to a document laid before the Commission on unseaworthy ships. It enumerated all the training ships, with the several details, but omitted all mention of the name of the *Chichester*, in the Thames, stating that it was not in readiness for the reception of boys; yet the ship had been in operation for eight years, and had sent many sailors both to the Royal Navy and the Mercantile Service. Well, the cost of the several ships for each by the year varied from £40 to £32. In the *Chichester* it was £15, and he would assert that the lads were quite a match for the best of the others. On the objection that few went to sea, the *Chichester* could be free, for the large proportion of the trained lads took to the service; and as for desertions, they suffered but little from that cause, for, except in a few instances in the Australian ports, where the ships were long detained and the wages were high, they never deserted; and why so? Because the invariable rule of the directors of these ships was to train none but those who had a strong predilection for the sea; and, when trained, to send none afloat but those who evidently continued in the same mind. And they had good reports of nearly 90 per cent of the whole number who went afloat. He need not detain their Lordships by showing the difficulty of finding this description of men on a sudden emergency. The evidence given by Sir Byam Martin in 1852 was sufficiently alarming. The same was stated by Admiral Sir Frederick Grey; and he recollected well that at the outbreak of the Crimean War, Sir James Graham, the then First Lord of the Admiralty, told him he was glad they had succeeded so well with the Fleet, for that many of the crews were supplemented by cabmen, labourers, and the refuse of London. Things might be better now and more provision made; but what proof was there that foreign nations had not advanced in the same proportion, and that we were not in a state of false security? It was said that for the Navy we required respectable lads, well born, well fed, and well educated, and that we could not receive the sweepings of the streets. Such was the language generally used; but he was satisfied that we had enormous resources, if we would but go deep enough. London and the ports were thronged with lads with a passion for a sea life, and these were the boys we ought to get on board the training ships. But then they were termed the scum of the earth, the refuse of the streets, the lowest of the population, and he knew not what—they were declared physically incapable—and all this assertion without trial or inquiry. Ought not the country to consult its own interest in giving these lads a fair chance? First, physically incapable. Let the House listen to the statement he would make. Now, first, the *Chichester*. Average time of each boy (200 in number) on board, 12 months; average height on joining ship, 4ft. 11¼in.; on leaving, 5ft. ¾in.; average weight on joining, 86¼ lb.; on leaving 101¼lb.; average increase of chest measurement was 1½in. Then for the *Arethusa*—Average time on board, 11 months and 28 days; average height on joining, 4ft. 11½in.; on leaving 5ft. 1in.; average weight on joining, 83½lb.; on leaving, 96¼lb; increase of chest measurement, 1¾in. Average age on leaving the ships would be about 15 years and 11¼ months. Now this was quite in keeping with the evidence of Commander Beavis in 1859.

> "There is no doubt," said he, "that the people who are born and brought up in London are not so robust as those from country places; but the sailors go to sea early, get the benefit of the sea air, live pretty regularly while on their voyages, and most of them eventually become strong men."

The truth was that the conditions for the Royal Navy were too strict. The lads were selected simply for their physical fitness. Many who had the full development had no lasting taste for the Service, while many who had taste were rejected because, for the time, they were physically unfit. And so with the *Chichester* and *Arethusa*, those rejected for the Navy at Greenwich made excellent sailors on board merchant ships. Now, it was to secure that supply of fit sailors that he would have training ships in all the ports, because in that way would be obtained all the lads who had a real passion for sea life. He would just put before their Lordships the statistics of the *Chichester*. It had in nine years sent to sea 1,524, drawn from the poorest classes —1,366 to the Mercantile Marine, and 158 to the Royal Navy—of whom the accounts were very good; that desertions were almost unknown; that of only 5 per cent they could not render an account; that of lads sent to prison they knew but two cases. But here was the crowning encomium. From the beginning of its career to the end of February, 1876, the Board of Trade certificates run in this way in respect of the lads:—"Ability—good, 164; very good, 1,769. Conduct—good, 139; very good, 1,800;" some of these, of course, having been upon double voyages. These were boys taken from the lowest depths of society, and it was to this peculiar class that they must go to get boys for sea service. He did not believe it was possible to have a better return than the one he had just read. He sincerely hoped that he should hear no more of employing none but respectable lads, of good birth, and all that sort of thing. Might he tell the House a story? They had heard, doubtless, the loss of the *Cospatrick*. One of the three saved from the frightful wreck was a *Chichester* lad, named Cotter. He bore up manfully, and encouraged the others; he had been the only lad about who knew how to tie a particular knot for the fastening of the boats. When he arrived in England he refused all offers to be made a lion of and paraded about the country. He came to see him (the Earl of Shaftesbury), but such was his passion for the sea that he rejected all suggestions for occupation at home, and without waiting for a berth to be provided for him by his friends took a berth for himself and sailed for Calcutta. But here was even a better one. A short time ago the master of a vessel came to report to the office. The Committee he said, ought to know the character of the lads sent out from the *Chichester*, "He was," he said, "off the Cape in a terrible gale of wind." The crew were at their wits' end, and were thoroughly demoralized. He feared much to leave the helm; but it was necessary, so helpless were the men. He called to a *Chichester* lad—a boy of 16—and gave him the rudder; "and, by God's blessing," said he, "that boy brought us through." What more could be wanted? Respectable parentage, indeed! That lad was born in the gutter. What could he have done more had he been born in the Mansion House? He would conclude with reminding their Lordships of the words of the Royal Commission in 1859:—"Your Majesty possesses in the Merchant Service elements of naval power such as no other Government in the world enjoys."

Lord ELPHINSTONE said, the subject was a very important one, but he would not attempt to follow the whole of the interesting speech of the noble Earl, but would confine his remarks to the difficulty of making any radical change with regard to this matter. In 1859 the Royal Commission sat upon Manning the Navy, and recommended that at the twelve principal seaports training ships should be established by the Government, and maintained at a cost of 40,000 a-year. In 1873 the Commission on Unseaworthy Ships advised, in regard to manning the Mercantile Marine, that every ship should be bound to carry a certain number of apprentices. But that recommendation, though it found many supporters, was not generally approved of. The apprenticeship system had long been in operation, but it was very doubtful whether it produced such beneficial results as were supposed by some to arise from it. What was an apprentice on board ship? Why, he was a boy trained on board, out of whom the captain tried to get several years of man's labour at a reduced scale of payment. After a time apprentices being as old and proficient as many ordinary seamen, earning 40*s*. or 50*s*. a month, naturally became discontented at receiving only 20*s*., and frequently availed themselves of the first opportunity to desert. No steps were taken by the Government to carry out the recommendations of the Commission of 1859; but since that time a number of training ships had been brought into use owing to the exertions of charitably disposed people; and there were now 17 such ships round the coast, while there was every prospect of four more being added in a short time. Two of them were appropriated to the education of young gentlemen to become officers in the Mercantile Marine—these were self-supporting—three were reformatories, four were free ships to which boys went voluntarily, and the others were industrial training ships. There could be no doubt that they did a great deal of good; but the great difficulty in the way of Government undertaking to maintain these ships was a financial one. Where was the money to come from? If the Government undertook to train merchant seamen they must be prepared not only to find the ships but to bear all the expenses; and when they began to prepare men for the merchant service they must be prepared to have other trades claiming from the State similar advantages to those thus given to the Mercantile Marine. The only strong argument in favour of State aid for the support of these ships would be that they were nurseries for the Navy. But at present if a boy entered the Navy from one of these ships the Admiralty paid the manager £25; and if a boy entered the Royal Naval Reserve the Admiralty paid a certain amount in money, and gave him clothes and a pension. But very few boys had ever joined the Navy from these ships; and the number had decreased from 161 in 1874 to 60 last year. This was scarcely to be wondered at, because boys likely to be taken into the Navy could at 15 get 50*s*. a month in the merchant service, while they could not enter the Navy until they were 16, and they would then join the second class and be paid only 15*s*. a month. In order to meet the difficulty of getting boys for the Navy the standard of height and education had been decreased. Some idea of the educational difficulty would be gathered from the fact that last year a recruiting officer in the agricultural districts had been obliged to refuse in one week 30 boys in every respect qualified for the Navy with the exception of bearing a very slight educational test. It had now, however, been reduced, and the result was manifest, for boys came flocking into the Navy in much larger numbers than had been received before. As to the number of foreigners in the merchant service, he must remind the noble Earl (the Earl of Shaftesbury) that since the repeal of the Navigation Laws there was no power to limit the number of foreigners shipped on board our ships; and in fact it was competent for the captain of an English ship to have a crew composed entirely of foreigners. He had pointed out that training ships were not the nursery for the Navy. He should be glad if it could be arranged that boys could pass from reformatory schools to training ships, and so be allowed to prove whether they had reformed. They could then enter on their future life like other boys, with the chance of becoming respectable members of society. He could assure the noble Earl that this subject was under the most serious consideration of the Government, not only in connection with the Merchant Shipping Bill now before the other House of Parliament, but with regard to the whole question of manning the Navy.

The Earl of LAUDERDALE unstood that two-thirds of our sailors were foreigners.

Lord ELPHINSTONE: Not 10 per cent.

The Earl of LAUDERDALE thought the proportion was more than that; at any rate, the number of British seamen was very small. A great many men called seamen in the merchant service were not seamen at all, and seldom did a day's work—they were, in fact, almost worthless. The Royal Navy took 3,000 of the boys from the training ships every year, and if it were not for these boys they would have no seamen at all. The noble Lord (Lord Elphinstone) said that the Government had been obliged to reduce the standard and qualification; but they were not a bit too good before, as the men were an inferior lot. A good deal of assistance had been given to the training system, and the Government were fully aware of its value, but it was of no use training boys in these ships and merely teaching them gymnastics. They could not make sailors ashore. They could train soldiers on board ships, as they could teach them to march; but to make these boys good sailors they must send them to sea. These boys were admirably trained, and in smooth water could do their work as well as any men; but the proof what a seaman could do was what he could do at sea. Some of these boys were worth two ordinary seamen, and as soon as they got their sea legs and got over their sea-sickness they were very valuable in the merchant service. The Navy required 3,000 boys every year, but for the last two or three years they had not been able to get that number. No doubt the training system would cost the country a great deal of money; but if we had a war he did not know how we should get on without training a large number of boys. Fifteen thousand boys were required annually to keep a supply of men for the merchant service. This question of training boys for seamen appeared to him to be at the present time as important a matter as that of building ships. A ship was no sooner launched now than she became antiquated; and if what was said about the torpedo was correct, it would be a very serious affair for ships. He hoped that the next question which the Government would take into their serious consideration would be how to increase the training of a larger number of these boys, whether they afterwards entered the Royal Navy or the Marine service, but the great thing in the training would be to send them out to sea.

The Duke of SOMERSET claimed a few words as having been Chairman of the Commission on Unseaworthy Ships. He wished to state that the Commission was not responsible for the Return referred to by the noble Earl with respect to the boys on board training ships. It was one supplied by the Board of Trade. As the Return stated that the *Chichester* was not ready for the reception of boys at a period when, according to the noble Earl, she had been already receiving them for five or six years, his confidence in the document was now somewhat shaken. He thought the average of cost, ranging as it appeared by that Return from £44 17*s*. to £15 per boy, required to be carefully examined. It would have been impossible for the Commission on Unseaworthy Ships to have gone so fully into the training ship question as would have been desirable, because that was only one of very many questions that came before it—with questions of marine insurance, load-lines, overloading grain ships, timber ships, and guano ships their time was fully occupied, and they could spare but a small portion to go into the question of training ships, important as it was. When he was at the Admiralty there was no difficulty whatever in getting boys for the Navy. It was rather a favour to take them. They had turned out well and improved wonderfully when they got on board ship. When the Commission was taking evidence they asked many shipowners whether they were willing to contribute to the expense of training boys, and a good disposition was manifested, several representatives of the shipowners agreeing to levy a small tax upon themselves in order to establish merchant training ships. The Commission could not carry the question further. Only the Government could deal with it, because before anything definite was done there must be communications on the subject of the supply of boys and men with the whole of the Mercantile Marine. The increase of the Mercantile Marine and the general prosperity of the country had led to the difficulty of obtaining boys and men for the Navy. As to desertions of these boys after training, owners of merchant ships complained that when seamen reached California or Australia they were attracted to the diggings. He did not see how that could be prevented. He wished to know whether the Government would take, or had taken, any steps for ascertaining whether or not shipowners were willing to make good the promise which some of them seemed inclined to give that they would contribute money with the view of providing training ships for the purposes of the Mercantile Navy. If they would do that, he thought the Government could not do better than to assist in promoting that object. The most valuable training which boys got on board such ships was discipline—a habit which most of those who called themselves able seamen never acquired.

The Duke of RICHMOND and GORDON said, he was not able to give the noble Duke (the Duke of Somerset) an answer to the question which he put, for he was not aware that the noble Duke was going to put it—otherwise, he should certainly have made inquiry and been able to give the information which the noble Duke wished to have, and which no doubt had an important bearing on this subject. He begged to express his gratification to the noble Earl opposite (the Earl of Shaftesbury) for the extremely interesting details he had given of the great good that was being effected by these training ships. He did not altogether agree with his noble and gallant Friend (the Earl of Lauderdale)—though he would perhaps think it was presumptuous for him to say so—in the remark which he understood him to make to the effect that it was of no use to have training ships on shore.

The Earl of LAUDERDALE: All I meant to say was that you cannot make sailors on shore. If you want to make sailors they must be sent out to sea.

The Duke of RICHMOND and GORDON said, he quite understood his noble and gallant Friend. He thought there was one point which had been alluded to by the noble Duke of the greatest importance in connection with these training ships—they taught the boys habits of discipline. He was sure no one could have read the heart-rending account of the burning of a training ship in the river and have failed to pay a tribute of praise to the admirable discipline displayed by the boys — their discipline could not have been surpassed by that of the oldest seamen in Her Majesty's Service. It was superfluous in these days for the Government to say that they regarded this subject as one of importance—anything relating to the Navy or the Mercantile Marine in a country like this was of the greatest importance; and though the Government were not able to give any satisfactory reply to his noble Friend as to what had been done with regard to this subject in the limited period of time referred to, he could assure his noble Friend that they had not lost sight of it, and they were grateful to him for having called the attention of the House to it.

Viscount MIDLETON said, he thought the country had some claim on the services of boys who had been trained for several years in reformatories; and it was impossible to over-estimate the benefits conferred on boys in these training ships by removing them for a period of years from all bad companions with whom they had associated, and by enabling them during that period to acquire habits of honest industry. There could not be a better profession for such boys than the sea, where they would have their honest and industrial habits confirmed instead of lapsing back into crime. He did not wish to pronounce any opinion as to what boys were fit and who were unfit for marine training; but there appeared to him to be a large class of boys who seemed to be appointed by Nature for a seafaring life. If we could turn raw material of that kind, which in many instances was running to waste, to a useful purpose, we should be conferring an advantage, not only on the boys themselves, but on the country at large. He trusted that Her Majesty's Government would keep that object in view, and he thanked the noble Earl who had introduced this subject for the efforts he had made for turning a source of danger and difficulty to the most useful purpose to which it could be applied.

ARMY—CHURCH ATTENDANCE OF SOLDIERS—PAYMENT FOR SITTINGS.

QUESTION. OBSERVATIONS.

The Earl of BELMORE asked the Under Secretary of State for War, Whether Her Majesty's Government will take into consideration the question of making some payment for the use of sittings occupied in churches in garrison towns in Ireland, where no salary for a chaplain is provided, by soldiers belonging to the Church of England or the late Established Church of Ireland? The noble Earl said, this question formed part of a larger subject which had lately engaged the attention of a Committee of the General Synod of the Irish Church, of which he had the honour of being Chairman—namely, the pay and status of chaplains who were clergymen of the Church of Ireland. As regarded what might be called the civil chaplaincies, he had been in communication with the Chief Secretary for Ireland, but this appeared to him to belong more exclusively to the War Department. It was thought to be a hardship upon clergymen whose duty it was to attend to the spiritual wants of Her Majesty's Army in garrison towns where no salary for a chaplain was provided, that there should be no remuneration, although they often had to perform very unpleasant duties. That, however, was the case when the number in garrison did not exceed 25. He was told by noble Friends near him that in the case of Roman Catholics some allowance was made, although a salary was not paid, and that such was the case also with regard to the Militia, and formerly obtained with regard to the Army. He had received a memorandum from a clergyman, who was also a member of his Committee, who urged that if some payment were made the money could be expended in the repairs of the churches. It would be unwise to enforce payment by refusing soldiers proper facilities for attendance at church; but it would not be unreasonable, in cases where there was no salary, that some small contribution per head should be made based upon the average attendance by soldiers belonging to the Church of England, or the late Established Church of Ireland, during the year. He had no doubt that some clergymen would rather the payments should be made to themselves; but, at the same time, it was necessary that the line should be drawn somewhere, and 25 seemed as good a number to draw it at as another, and to meet any difficulty that might arise he suggested that the small sum of 5*s.* per head should be granted by Her Majesty's Government towards the funds of particular parishes, to be applied as might be thought fit. In no case would this exceed £6 10*s.* a-year, and in some cases less, and he thought that the cost for all the garrison towns where no chaplains were provided, taken together, would not exceed £100 a-year. He did not ask the Under Secretary for War for a definite answer to-night, still less did he want one in the negative, for he thought those whom he represented would not be inclined to take "No" as an answer; but his object in bringing the question forward was, that it might be considered by the War Office, with the view of seeing whether some relief of the nature indicated might not be afforded.

Earl CADOGAN said, that the noble Earl had quite correctly stated the matter as it stood at the present time—that no capitation was allowed in garrison towns where the average attendance of soldiers each Sunday was under 25. He was aware that it had previously been suggested that all sittings might be paid for at the rate of 5*s.* each, and he might state that four or five years ago a proposal was made to remove this limit of 25, and that capitation should be paid for every soldier attending church in garrison towns. But he might remind the noble Earl that there was another Department of the State besides the War Office which was interested in this matter, and that was the Treasury; and when it was considered in 1871 it was found impossible to carry out the proposal, because, although a small question in itself, it would involve a large additional grant. Since 1871 no circumstance had occurred to render it probable that the Treasury would alter their decision and meet the views of the noble Earl; the Secretary of State was therefore indisposed to move further in the matter.

House adjourned at a quarter before Seven o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 10*th March*, 1876.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates—Classes II. and III.—*Resolutions* [March 9] *reported.*

Public Bills — *Ordered* — *First Reading*— Muncipal Corporations, &c. (Funds) * [101]; Local Government Provisional Orders * [102]; Irish Church Act (1869) Amendment * [103].

Second Reading—Salmon Fisheries * [60].

Committee—Cattle Disease (Ireland) * [94]—R.P.

Third Reading—Telegraphs (Money) * [90], and *passed.*

ARMY—RECRUITING.—QUESTION.

Mr. WILSON asked the Secretary of State for War, Whether he will take into consideration the advisability of discountenancing the use of public-houses for the purpose of enlisting recruits for the Army, and will, instead, encourage the establishment of rooms at recruiting stations available as clubs for all soldiers who may be in the locality, in addition to their use as recruiting stations?

Mr. GATHORNE HARDY: Sir, I am not aware that I could strengthen the regulation at present in force in any way in order to carry into effect the object which the hon. Member desires. The following recruiting instructions are in force for the guidance of officers commanding Brigade Depôts, and have been so for some time:—

"At the headquarters of the sub-district all non-commissioned officers and steady privates should be permitted to enlist men arriving there for that purpose and pass them into barracks. If accommodation in the barracks will allow of it there should be a recruits' room, into which men arriving late at night seeking enlistment might be allowed to sleep to prevent their forced resort to public-houses and their exposure to influences adverse to enlisting. Officers commanding Brigade Depôts will see that the following directions are carefully attended to and promulgated throughout their sub-districts:—No recruit is to be enlisted in a state of intoxication, as it would render his enlistment void. Enlistment in public-houses or beer-shops is to be avoided as far as possible. After enlistment and until attestation the recruits are, if possible, to be lodged in the room provided for them in barracks, or in refreshment houses not licensed to sell beer or spirits. No recruits previous to enlistment are to be treated or entertained in public-houses by the recruiters. All recruiting is to carried on in an open manner, like any other agreement between the employer and the person engaging to serve. No false pretences or misrepresentations are to be made use of to induce recruits to enlist, and no man is to be encouraged to leave his place of residence in order to conceal his enlistment."

In 1869-70 the experiment was tried of having an enlistment place separate from the recruiting departments in London and York, but after a year's experience, not a single recruit having enlisted at those places, the experiment was abandoned.

AGRICULTURAL HOLDINGS (ENGLAND) ACT—THE DUCHY OF LANCASTER.

QUESTION.

Dr. CAMERON asked the Chancellor of the Duchy of Lancaster, Whether it is true, as asserted in the "Mark Lane Express," that a circular bearing his signature had been addressed to the tenants of the Duchy of Lancaster, excluding them from the benefits of the Agricultural Holdings (England) Act of last Session by giving them formal notice that their contracts of tenancy shall remain unaffected by that Act?

Colonel TAYLOR: It is true, Sir, I have issued a circular of the nature described by the hon. Member on the advice of the recognized and responsible officials of the Duchy. Having consulted several of the Council, I did that which was considered best for Her Majesty's estates. I may add that the difficulties intended to be met by the Agricultural Holdings (England) Act have never occurred between the Duchy and its tenants. The tenants are scarcely ever changed, and, as a matter of course almost, the farms pass from father to son, and the improvements, as a rule, are always made by the Duchy at a stated rate of interest,

MINES ACT—USE OF BLASTING POWDER—LEGISLATION.—QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If he will, in compliance with the recommendation of several of the Inspectors of Coal Mines in the Report issued yesterday, introduce this Session a small Bill to prohibit the use of blasting powder in mines where the safety lamp has been ordered to be used; if he will not introduce such a Bill will he consent to the appointment of a Select Committee of this House to inquire into the whole subject; and, further, seeing that several Inspectors have stated there is power in the existing Act to discontinue the use of powder "where it is necessary," whether he will enforce the existing Law?

Mr. ASSHETON CROSS, in reply, said, that Her Majesty's Government did not intend to introduce any Bill of the nature referred to by the hon. Member, because it was, in their opinion, a measure which would tend rather to the increase of danger than otherwise and to the disuse of safety lamps. He wished that the men employed in mines would only be as earnest in putting the provisions of the Mines Act in force as the Inspectors were. If they would only give their assistance to the Inspectors in carrying into effect the existing Act, and more especially the 1st, 6th, 8th, and 30th general rules, and would also help them in carrying out the Act in other ways, he believed a great saving of life would ensue. He had called the special attention of the Inspectors, since the recent Reports had been made to the Home Office, to those special points, and had requested them to see, so far as they possibly could, that they were enforced, and he had also called their special attention to Sections 46 and 55 of the Mines Act. He hoped by this means that the safety of life in mines would be greatly increased, and he was sure it would be still more so if the men would give all the assistance they could to the Inspectors in the performance of their duty. The matter had been so fully discussed a short time ago that he was unwilling to ask for the appointment of a Select Committee until he saw whether the measures which he proposed to take would have a beneficial effect.

PAPERS RELATING TO CHINA.

QUESTION.

Mr. LEATHAM asked the Under Secretary of State for Foreign Affairs, When the Papers relating to China, promised in Her Majesty's Speech at the opening of Parliament, will be in the hands of Members?

Mr. BOURKE, in reply, said, the Papers were in print, and would be in the hands of hon. Members next week.

NAVY—CIRCULAR SHIPS.—QUESTION.

Mr. HANBURY-TRACY asked the First Lord of the Admiralty, If Mr. Froude has made any report on Circular Vessels; and, if so, if he has any objection to lay it upon the Table of the House?

Mr. HUNT, in reply, said, Mr. Froude had made a confidential communication to the Admiralty on the subject of circular vessels, but under conditions which prevented it being made public.

UNITED STATES—GENERAL SCHENCK.

QUESTION.

Mr. ANDERSON asked the Under Secretary of State for Foreign Affairs, If he has observed a statement going the round of all our newspapers, said to be copied from the "New York Times," stating that "President Grant had requested General Schenck to resign in compliance with a demand from the British Government for his immediate recall;" and, if he has any objection to say if there is any foundation for the statement that any such demand was made by Her Majesty's Government?

Mr. BOURKE, in reply, said, he had seen the statement referred to, and he had to state that there was not the slightest foundation for the statement that any such demand was made by Her Majesty's Government.

LANDED PROPRIETORS (IRELAND).

QUESTION.

Mr. JOHN BRIGHT: I have to put a Question to the right hon. Gentleman the Chief Secretary for Ireland. I have put a Notice on the Paper for a Copy of a Return of the Landed Proprietors in

Ireland furnished for the service of the Government in the year 1870. The right hon. Gentleman objects to have it printed on the ground of the expense that will be occasioned. I will not go into that question. I have been here a good while and have not put the House to much expense for Returns of any kind; but I wish to ask the right hon. Gentleman if he would have any objection to place in the Library one or more copies of that Return, in order that hon. Members of the House may have access to it? I have reason to know that some Irish Members and some others are particularly anxious to have the opportunity of seeing it, and it will not put the right hon. Gentleman or the Chancellor of the Exchequer to any expense.

Sir MICHAEL HICKS-BEACH: I think it hardly fair to mention in public reasons given to the right hon. Gentleman in a private conversation at a period of the sitting of the House when I should be out of Order if I attempted to explain them fully to the House. I am quite ready to place two or three copies of the volume in question in the Library of the House, as desired by the right hon. Gentleman.

ARMY MEDICAL OFFICERS.

QUESTION.

Mr. LYON PLAYFAIR asked the Secretary of State for War, Whether he proposes to lay upon the Table any explanatory Papers showing how far the proposed changes in regard to the new Army Medical Officers will affect the future pay of Surgeons who entered under the old rules, and what bearing the proposed short service in the Army Medical Department is likely to have on the long service Medical Officers in India and in the Navy?

Mr. GATHORNE HARDY, in reply, said, that all the information which the hon. Member asked for would soon be laid before the House. He would not go into any detail; but he might say generally that the future prospects of surgeons who entered under the old rules would be beneficially affected by the promotion they would receive at an earlier date. He was unable to say what bearing the proposed short service in the Army Medical Department was likely to have on the long services of medical officers in India and in the Navy, as that was a matter which would be tested by the operations of the new rules.

LAW AND JUSTICE—UNION OF LEGAL OFFICES (IRELAND).—QUESTION.

Mr. CHARLES LEWIS asked the Chief Secretary for Ireland, Whether it is the intention of the Government, during the present Session, to bring in a Bill to unite the offices of Clerk of the Crown and Clerk of the Peace in Ireland; and, if it is their intention to do so, whether the same will be brought in in sufficient time to enable Members to consider its provisions along with the Bill to extend the jurisdiction of the Civil Bill Courts?

Sir MICHAEL HICKS-BEACH, in reply, said, it was the intention of the Government to bring in such a Bill, and he hoped to be able to lay it before the House in sufficient time for the purpose referred to by the hon. Member.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE EDUCATION CODE—CHOICE OF SUBJECTS.—RESOLUTION.

Sir JOHN LUBBOCK, in rising to call attention to the Education Code; and to move—

> "That, while reading, writing, and arithmetic should be obligatory in all Elementary Schools, it is desirable that the choice of other subjects should, as heretofore, be left to the School Board or Committee of Management,"

began by thanking the noble Lord (Viscount Sandon) for the improvements he had effected in the Code, but as the question of elementary education was one on which there was a great divergence of opinion, he trusted he might be allowed to express his views in reference to it. Until the Code issued last year came into operation the school boards and committees could select such one or more of the so-called "extra subjects" as they thought most suitable; nor had there ever been any allegation that the power thus confided to them was injudiciously exercised. Under the Code of last year, however, they were compelled to take up as two subjects History, Geography, or Grammar. That constituted, for all practical purposes, an exclusion of all other subjects. He submitted to Her Majesty's Government that there was still so much difference of opinion as to the best system of education that it was very undesirable to lay down cast-iron rules of this kind, and thus to stereotype a system which after all might prove to be by no means the best. No doubt the great majority of schools had selected these subjects, but some, on the other hand, made a different choice. The Committee of Council, indeed, said that "a fair proportion of scholars take up other branches of study." Well, then, if they themselves admitted that the school boards had acted with judgment, why take away a power which had been so wisely exercised? By the New Code the subject of domestic economy was put into the shade and confined to girls, whereas there were many matters connected with it—such as the importance of ventilation and cleanliness in their homes—which ought to be as strongly impressed on the minds of boys as of girls. He showed that several successive Committees and Commissions had recommended that instruction in the elements of natural science should be made an essential part of the course of instruction in elementary schools. Grammar, at any rate as it was ordinarily taught, seemed to be of very doubtful value. At present a knowledge of grammar, even in the upper classes, was a matter of practice and taste rather than of tuition. Again, he would have the teaching of history improved. If properly taught, it was a most important branch of education; but as taught at present, it was little better than a list of dates and battles, enlivened by bloody murders and other crimes, with a sprinkling of sensational stories, most of which, he believed, were no longer regarded as true. It was said that happy was the country that had no history, and though it could not be said that happy was the child who did not read history, still the short histories in general use were very dry and uninteresting. The quotations from history used in these schools dwelt more on times and acts of war than times of peace; whereas in reality the true condition of a country depended more on wisdom in times of peace than success in times of war. If, however, among those who were best qualified to judge there was a general opinion that History, Geography, and Grammar were clearly the best subjects, the case would be very different. But that was not so. Perhaps there had never been more successful village schools in England than those organized by Dean Dawes and by Mr. Henslow. Dean Dawes' school at King's Somborne was the subject of a special Report made to the Education Department by Mr. Mosely, and to what did Mr. Mosely principally attribute the excellence of the school? He said—

> "That feature in the King's Somborne School which constitutes, probably, its greatest excellence, and to which Mr. Dawes attributes chiefly its influence with the agricultural population round him, is the union of instruction in a few simple principles of natural science, applicable to the things familiar to the children's daily observation, with everything else usually taught in a National School."

Dean Dawes himself, in his excellent *Suggestive Hints on Secular Instruction in Schools*, dwelt most forcibly on the great value of elementary science as a means of education. He said—

> "In no way can the teachers in our higher class of elementary schools give such a character of usefulness to their instruction as by qualifying themselves to teach in these subjects, introducing simple and easy experiments which illustrate the things happening before their eyes every day, and convey conviction with them the moment they are seen and explained. It is a great mistake to suppose that boys of 12 and 13 years of age cannot understand elementary knowledge of this kind, when brought before them by experiment."

The Committee of that House which was appointed in 1868, on the Motion of his hon. Friend the Member for Banbury (Mr. Samuelson), reported that the opportunities of acquiring knowledge of elementary science in the National Schools were far greater on the Continent than in this country, and added that the witnesses they examined concurred in considering "that nothing less will suffice here if we are to maintain our position in the van of industrial nations." They recommended, therefore, that elementary instruction "in the phenomena of nature" should be introduced into our National Schools. In their Reports to the Education Department several of the Inspectors of Schools, whose official position and practical experience gave great weight to their opinions, expressed grave doubts whether History and Grammar were the best subjects which could be selected. Moreover, it was remarkable, as showing how much different Departments of Government differed even among themselves with reference to the choice of subjects, that there was one—namely, agriculture — which was absolutely ignored in England, which had not even a place in the specific subjects, and which was in Ireland absolutely obligatory. The children there received simple explanations of the different kinds of soil—clay, sands, &c.; of the advantage of drainage and manure; of the implements and machines used in agriculture; of the principal crops and the rotation of crops; and the kinds of cattle and stock. Surely that was a very suitable and practicable subject for country schools; and it would, he had no doubt, be far more interesting and important to the children than some of our English subjects. He might even be permitted to point out that Her Majesty's Government was not always consistent with itself in this matter, and it was somewhat remarkable that out of 14 specific subjects which were included in the Scotch Code, more than one-third were excluded from that of England. Now, why should that be? Was there any one in that House who would maintain that the system which was best for one school was necessarily best for another? Surely, differences of locality, of district, of situation, were sufficient to negative that view. Her Majesty's Government admitted that in principle, because in Northumberland they did not propose that the subjects should be the same as in Roxburghshire. But surely the differences between England and Scotland were not the only ones? Was it not conceivable that in towns where there was some special manufacture, the upper Standards might with advantage receive some instruction which would lead up to the occupations of their after life? Again, something must depend on the schoolmaster. A schoolmaster might have special gifts in, or knowledge of, some special subject, which it would in such a case be very desirable to utilize. Even assuming that History, Grammar, and Geography were the best subjects, why should they receive the whole of the time? The classes affected by the provision were five—that was to say, they covered five years of school life; and surely that was unreasonable. Even admitting that they should come first, ought not other subjects to come somewhere? One objection which might be raised to the Resolution was, that they should not throw upon the rates any instruction, except on the most elementary subjects of reading, writing, and arithmetic. That objection hardly applied to that Resolution, because the teaching of the specific subjects to which he had referred would not cost more than those special subjects which were now so much favoured. Another objection which had been raised by the noble Lord the Vice President of the Council was that it was undesirable to make continual alterations in the Code. He admitted the force of that argument, but it hardly applied to the present suggestion, which was merely that greater freedom in the choice of these subjects should be allowed to the local bodies. If it were suggested to impose any new restrictions or any fresh conditions, there would be much weight in the objection; but in this case he only wished to restore a power which the local authorities possessed until last year, and which they were admitted to have exercised with sound discretion. Those managers who did not notice the change could not be affected by it, so that could not lead to inconvenience or confusion. Every one in that House, he might add, would admit that centralization was in itself objectionable. Perhaps, however, that was peculiarly the case in matters relating to education. It was most desirable that we should induce the very best men and women to serve on school boards, but in order to secure them we must not interfere with them more than could be possibly avoided; we must leave them a real interest and responsibility. But if we practically took out of their hands all control over the system of education pursued in the schools, we certainly diminished very considerably the interest they would otherwise feel, and thereby tended greatly to impair the efficiency of our schools. Every one knew that there were the greatest differences of opinion as to the best system of education. To many it seemed that our present methods relied too much on memory and too little on thought; that they sacrificed education to instruction; that they confused book learning with real knowledge; that, instead of training the mind to act with freedom and effect, they choked the machinery of the brain with the dry dust of facts which at best were but committed to memory, instead of becoming a part and parcel of the child. In education, and especially, perhaps, in elementary schools, our object, he contended, should be to train, rather than to teach, the child. What the children knew when they left school was comparatively unimportant. The real question was, whether we had given them a wish for knowledge and a power of acquiring it. What they learnt at school would soon be lost, if it was not added to. The great thing was to interest them, and not so much to teach them as to make them wish to teach themselves. Unfortunately, our system of education had too often the very opposite effect, and under it the acquirement of knowledge had become an effort rather than a pleasure. He had been good-naturedly criticized, both in that House and out of it, as an enthusiast on that subject; but every one who loved children must know how anxious they were for information, how they longed to understand the facts of nature, how every bird and beast and flower was full of interest for them. Under these circumstances, he would appeal to Her Majesty's Government not to stereotype their present system, not to restrict the education given in our elementary schools to the outlines of slates, the technicalities of grammar, and the series of crimes and accidents which was misnamed history. He hoped he should not be thought unduly pertinaceous in urging these views, but he did so under the conviction that the more we could make the schools interesting to the children, the more they would conduce to the benefit of the country. The hon. Baronet concluded by moving the Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "while reading, writing, and arithmetic should be obligatory in all Elementary Schools, it is desirable that the choice of other subjects should, as heretofore, be left to the School Board or Committee of Management,"—(*Sir John Lubbock,*)

—instead thereof.

LORD FRANCIS HERVEY said, he thought the hon. Baronet was somewhat premature in bringing his Resolution under the notice of the House before the New Code was submitted to its consideration. What he proposed to do was to cancel some of the most material alterations in the Code which were made last year—a course which, in his opinion, it would be somewhat precipitate to take before the House had some experience of the results which those alterations produced. As yet no school had been examined under the altered system. He was not prepared to say that the Schedule of extra subjects might not be enlarged; but he thought we should go on with cautious steps, and not be in too great a hurry again to make a change. Since the question of the Code had been started, he would say a word on the subject of physical education in elementary schools, which had been overlooked for many years, and which deserved the attention of the Legislature. Take the case of swimming, for instance, which was an accomplishment quite as valuable as the drill ordinarily taught in schools. He should be glad if the Vice President of the Council would allow attendances at swimming to rank as school attendances, such attendances, under proper instruction, to be alternative with military drill. In large towns very little attention was paid to the proper development of the physical faculties of children, and he trusted his noble Friend would see his way to do something in this important and hitherto overlooked branch of education, by allowing attendances at an adequately conducted gymnasium to also count as attendances at school. He wished also to call attention to the hardship inflicted on infant schools by the provisions of the Code as they at present stood. It had been usual for the teachers to present a small number of their best scholars for examination in the Standards. That was the only adequate test they could get of their ability to teach and of their assiduity in teaching, but it was no longer possible for the children to be presented in the usual way. He thought, however, the hon. Baronet's Motion was somewhat inopportune, and hoped he would not deem it necessary to press it to a division.

SIR WALTER BARTTELOT thought the Resolution covered more things than had been mentioned by the hon. Baronet, and that his object was, as it always had been, that children in elementary schools should be trained in far higher subjects than those to which he had referred. However, the two points raised by the Resolution ought to be carefully considered by the House. Considering the class of children they had to deal with in the agricultural districts, it would be very hard if fresh requirements should now be demanded of managers of schools, who were making every effort to come up to the requirements imposed by the Code of last year. In agricultural schools there were so many difficulties to contend with, that even his hon. Friend the Member for Hackney (Mr. Fawcett), if he went into all these considerations, would agree that much more energy was being displayed than formerly, and that there was a real determination throughout the country to give to children the benefit of education. It must be remembered, however, that all these things could not be done in a hurry, and that time must be allowed in order to get gradually into a good working system. He would, however, ask the hon. Baronet if these children were educated too highly, what were they to do? It must not be forgotten that the great majority of them must earn their bread by daily toil; and what would be the effect upon them through life, if the hon. Baronet's suggestions were adopted? Then, again, there was the class of children immediately above them in social life. What was to become of them? They would be unable to obtain such an education as it was proposed to give these children at the expense of the State, and the injustice thus committed was manifest. Much had been said by the hon. Baronet with regard to education in Scotland. Well, he himself was greatly struck with the admirable way in which instruction was imparted in the schools he had visited in the Highlands. The Scotch teachers, he was bound to admit, excelled pre-eminently in imparting knowledge to their pupils. What we wanted was not merely knowledge in the schoolmasters and mistresses themselves, but also an aptitude for imparting it to others. As he had said, the great majority of the children had to earn their bread by the sweat of their brow, and while we were educating them we must not prevent them from learning that which must be their mainstay in after life. He hoped his noble Friend would not assent to the Resolution, because it would lead to great difficulty in the future, would cover more than the hon. Baronet stated, and would produce no good results for the people of this country.

Mr. W. E. FORSTER thought the hon. and gallant Baronet who had just addressed the House had somewhat misunderstood the intention of his hon. Friend the Member for Maidstone (Sir John Lubbock), whose proposal would not increase the difficulties of managers in earning the Government money. They would only have greater latitude given to them as to what they should do. His hon. Friend had not expressed a wish that a great number of subjects should be taught, but considered that two would be sufficient. The question was whether there was too much limitation in regard, not to the special subjects for individual scholars, but to those subjects upon which the classes were examined. For his own part, he confessed he thought his hon. Friend ought to wait two or three years before he asked for an alteration. It should be recollected that everything taught in these schools, in order to have much effect, must be imparted according to some system. With regard to the special subjects, quite as much choice was allowed now as had been allowed before, with the additional advantage that more money could be earned.

Mr. A. MILLS said, he very much wished, if it were possible, that no public money should be granted for any subject but reading, writing, and arithmetic. He apprehended, however, that it was not possible now, because education was proceeding on different lines from those of former days. So far, however, as his experience went in education in the country, unless we were very cautious, it struck him that we were running great risk of departing from that which ought to be the first object of elementary education—namely, to qualify children for doing their work in the position in which their work lay. In the case of girls, needlework was obviously a subject for which public money ought to be granted; because it was necessary to enable children to fill the station in life to which they would be called. But he thought the children were overcrammed, and the teaching of history, particularly of the kinds of history to which reference had been made, did not come within the same scope of necessary preparation, and it had the further inconvenience of entailing unnecessary and very arduous labour on the pupil teachers. He feared that already both children and pupil teachers were crammed with subjects far beyond those which ought to be insisted upon from them. There was a danger lest the result of this pressure upon the brain should injure the health and strength of pupil teachers, especially girls. It must be remembered that, while working up these extra subjects, they were engaged in teaching. At present three-fourths of the work in our elementary schools was done by the pupil teachers, and in increasing the special subjects for which public money could be earned there was great risk that many of the pupil teachers would overtask their strength in order to enable the schools to earn this public money. The result of such a state of things must be that the pupils would receive an unsatisfactory education as far as the elementary branches were concerned, while the energies of the pupil teachers would be over-strained, and their health imperilled.

VISCOUNT SANDON said, no apology was necessary from his hon. Friend opposite (Sir John Lubbock) for bringing forward a subject involving a question of science, with which he was pre-eminently qualified to deal; and the House was to be congratulated on having among its Members one who showed an ardent enthusiasm upon such questions, and who handled them with the grace which distinguished every act of the hon. Baronet in that House. Unfortunately his hon. Friend was absent during an interesting discussion which took place last year on the New Code, when the changes proposed to be made received a warm assent from the House. On that occasion, while he (Viscount Sandon) did not pretend that the curriculum so altered was the best in the world, he then urged the House to support him in resisting proposals for changes during the next two or three years, and when he announced this view it was strongly supported by the House. Nothing was more destructive to our elementary schools, more annoying to teachers, or more discouraging to school managers than the introduction of constant changes in our curriculum of education. He appealed, therefore, to his hon. Friend not to press his Motion. It was undesirable, he thought, that he should enter now into the various points that had been raised in the discussion; but he would observe that some useful remarks had been made in the course of it which should receive his attention. His hon. Friend, however, could hardly blame the Government for showing some amount of coolness towards subjects of education other than those which were clearly the most necessary or desirable. They increased the grant for extra subjects from 3*s.* to 4*s.* per head, and these extra subjects were mathematics, Latin, French, German, mechanics, animal physiology, physical geography, botany, and domestic economy. While doing so, without wishing to disparage their utility, he thought it questionable whether the study of, such subjects could be of any certain advantage to those who were educated in these schools. At the same time, the substantial grant which was given to these extra subjects to meet the wishes and wants of different schools and communities showed that the Government had no hostility, but rather a warm wish to raise the standard of education if they could. But he felt strongly that the business of his Department was to try and make the work of education as solid as possible. They were dealing with a new class of scholars; they were fighting against irregular attendance and other difficulties; and it was, therefore, undesirable that anything should be done by which these difficulties would in all probability be increased. The great object was to impress upon children, teachers, and parents the necessity of laying a permanent basis of education. Now, if you gave loopholes for introducing what he might term, without undervaluing them, more fanciful and less necessary subjects, there was a danger lest young teachers should be led away to cultivate these higher subjects at the expense of the more solid ones. Information which came before him led him also to agree with the hon. Member for Exeter (Mr. A. Mills) that there was considerable danger of the younger teachers being intellectually overworked in their zeal and anxiety for knowledge. It would be disastrous to a national system of education to have a body of teachers highly developed intellectually, but with constitutions shaken and shattered by their intellectual work. A body of dyspeptic teachers would, in the long run, tend to very bad results in the way of education, and such a danger was by no means a fanciful one. This danger affected pupil teachers not only in that career, but afterwards in the training colleges. He begged the House, therefore, to support him for rather holding back at present in this matter—first, because it was not well to be constantly meddling with the Code; and next, because further changes to any considerable extent would interfere with the solid basis of national education which everybody desired, and with which it would not be well at present to interfere. He should not forget the subjects mentioned by his hon. Friend, though he could not for the present accede to the Motion.

Mr. LYON PLAYFAIR defended his hon. Friend for having brought on the discussion, because one of the objects of the Code being laid on the Table so many weeks before it became law was to enable Members of Parliament to enforce their suggestions on the Vice President of the Council. What his hon. Friend wanted was to produce a certain elasticity in the working of the Code; he did not desire to increase the subjects taught in schools in agricultural districts, but only to give the managers of these schools the option of teaching the children something about their own occupation, such as the soil, the plants that grew upon it, and the manure that was used to dress it, instead of confining their attention to grammar and history; and he put it to hon. Members whether that information was not more likely to be useful to them than a knowledge of trifling questions in history, such as to the number of Queen Anne's children who died in infancy? What his hon. Friend's object was, not so much to have many subjects taught, as those subjects which might be adapted to the wants of particular districts. The Scotch had been very much complimented on their success in teaching, but the secret of it was this, that they encouraged the teachers to teach what they knew best. After what had been said, however, he would advise his hon. Friend not to press his Motion, but to remain satisfied with the discussion the subject had received, and which he thought would not be found unproductive of good results hereafter.

Dr. WARD said, he had devoted some attention to the subject to which the discussion related, and he must say he deprecated the extent to which scientific education in primary schools was sometimes carried at the present day. He even thought the right hon. Gentleman the Member for Edinburgh University would not find very many to go with him the whole extent of his views on the subject, even among those who were engaged in scientific teaching. He doubted, in fact, the value of the scientific teaching which the right hon. Gentleman had advocated for agricultural districts, and thought, on the contrary, that such subjects were too much cultivated. It appeared to him that they had a craze in favour of scientific teaching, and that it would be far better to keep to the good old lines, and give sound instruction in grammar, geography, and history, rather than go into so many branches of science. In Ireland the national system of education excluded national history. History was excluded, and its exclusion, he thought, was unfortunate and a blot upon that system. But that was in despite of the people of Ireland. It was because they had in Ireland that which did not exist in England—an injurious governmental system—that they consented to the entire and complete exclusion of history from their schools. If their history was a sad one, still they were not to be congratulated upon its exclusion in Ireland.

Sir JOHN LUBBOCK said, he was quite willing, with the leave of the House, to withdraw the Resolution. ["No, no!"]

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

MERCANTILE MARINE—PENSIONS TO SEAMEN.—RESOLUTION.

Mr. T. BRASSEY, in rising to call attention to the present condition of our Merchant Seamen, and to the Report of the Royal Commission on Pensions to Seamen, and to the regulations in force in Foreign Countries for providing Pensions to Seamen; and to move a Resolution thereon, said: Sir, in order to justify the Motion which I desire to submit to the approval of the House, I shall not consider it necessary to allege that our seamen have deteriorated. I believe that there are in our Merchant Service many ill-conducted and inefficient men, while there are happily a still larger number, who are the best seamen in the world. I would rather insist on the miseries and hardships inseparable from a sailor's life. It is on this ground, and because our national security and greatness are mainly dependent on the loyal attachment of our seamen to their native land, that I would especially urge the re-establishment of the Seamen's Pension Fund. The subject has been frequently investigated by Royal Commissions and by Parliamentary Committees, and they have invariably recorded a strong opinion in favour of the establishment of a Seamen's Pension Fund. The fact that no practical legislation has resulted is a convincing proof that the special interests of seamen have been too long neglected. That negligence has arisen, not so much from lack of sympathy, as from ignorance of the condition and necessities of a class whose calling keeps them apart from the great mass of their fellow-countrymen. The efforts of the hon. Member for Derby (Mr. Plimsoll) have of late aroused the deepest interest in seamen, and my hope is that I may be able to obtain for the proposal I now submit to the House a support which, under ordinary circumstances, I could scarcely hope to command. The example of foreign nations supplies me with an important argument. A plan for securing pensions to seamen was established in France by the great Minister, Colbert. The fund of the Invalides de la Marines is supported by contributions of 3 per cent, deducted from the pay of all persons in the National or the merchant service. In 1844, the fund had an invested capital of £4,000,000 sterling, and an income of £300,000 a-year. Mariners became entitled to pensions after their names had been borne for 25 years on a ship's articles, and they had attained the age of 50. The pension varies from 600f. to 96f. a-year, according to the grade of the pensioner. Widows receive half the pension, to which their husbands were entitled, and an allowance is made to children. In the United States there is a benefit fund, supported by a compulsory deduction of 20 cents per month from the seamen's wages. Every worn-out or disabled seaman is entitled to maintenance in one of the asylums established by the State on the American seaboard. In Norway, by the Royal rescript of 1834, an independent charitable institution for seamen has been founded in the principal seaports; and at the time when seamen sign their articles of agreement for a foreign voyage, it is usual to agree upon a *pro rata* contribution to the institution established in the port from which he sails. The Scuola di San Marco, at Venice, is an institution very similar to that of the Invalides de la Marines in Paris. In Holland, there is an institution called the Seamen's Hope, on a somewhat similar plan to those established in Norway and Sweden. In our own country a Seamen's Pension Fund formerly existed. It was established by Act of Parliament in 1747, in compliance with a Petition from merchant seamen. Its object was to give to the merchant service the same advantages which the Navy enjoyed at Greenwich. It was supported by a contribution of 1*s.* a-month, which was stopped from each man's wages; and the Fund received liberal contributions from great merchants and shipowners. It worked extremely well until the year 1820, when our great merchants unfortunately withdrew from the shipping trade. From that period their voluntary contributions rapidly fell off. In the meanwhile, a fatal laxity had crept into the management, the results of which were described by Admiral Denman in his evidence before the Manning Commission of 1859. While the State was responsible for the management of the Fund, its administration was entrusted to a local committee at each port. There was no general system, and no effectual audit was provided. Hence arose jobbery, confusion, and eventual bankruptcy. At one port pensions of £13 were paid; at others the amount was £2 or £3; and again at others it was as low as 10*s.* A widow at Sunderland, aged 84, received 2*s.* a-month; while a widow at Liverpool, aged 24, received 14*s.* for herself, and 12*s.* each for her children. Such inequality justly created discontent; and the Fund being bankrupt, a Winding-Up Act was passed in 1851. The process has already cost £1,000,000, and will probably cost £500,000 more. But no objection has ever been taken to the principle of a compulsory self-supporting Pension Fund by those who are best acquainted with the condition of our seamen. The Select Committee on Lighthouses, in 1845, strongly insisted on the necessity for such a Fund. The Royal Commission on Pensions, appointed in 1848, made a Report, which is still the best authority on this subject, and which was entirely in favour of continuing the Pension Fund, under improved regulations. In 1853 the Prince Consort, as Master of the Trinity House, addressed a letter to Lord Cardwell, then President of the Board of Trade, in which he urged, on behalf of the Elder Brethren, the importance of substituting for the Corporation's charities a more comprehensive scheme, such as should do honour to the great maritime and commercial character of the United Kingdom. The Manning Commission of 1859 gave great prominence to this subject in their Report. They said that, among the many suggestions, which had been offered to them, none had been so ably advocated as the re-establishment of the Merchant Seaman's Pension Fund; and that such a provision would be a great inducement to youths to join, and to seamen to remain in, our Merchant Service. The Committee on Merchant Shipping of 1860 concurred in this view, and pointed out the great facilities, afforded for the administration of the Fund through the shipping offices, which had recently been established. Passing over an interval of several years, I may quote as the latest authority on this subject the Report of the Liverpool Committee of shipowners on the condition of our merchant seamen. They were strongly of opinion that, both in the general interests of commerce and the nation, as well as of our merchant seamen, a Compulsory Benefit Fund should be established, there being at present no provision for old or disabled seamen, except the workhouse. The existence of such a fund would serve to bind the sailor both to his ship and his country by the consideration, now almost unknown to him, of having something to lose by deserting his ship when abroad. Lastly, the Royal Commission on Unseaworthy Ships expressed their opinion that a self-supporting Pension Fund for seamen might prove of great value, in creating a tie to bind the British seaman to the Merchant Service of his own country. The subject, they said, well deserved the attention of the Government. The concurrence of these eminent authorities supplies a conclusive argument in favour of a Seamen's Pension Fund; and a calm consideration of the proposal on its merits cannot fail to satisfy the House that it is both reasonable and necessary. Seamen are a scattered body. Their lives are spent far away from home, and when they return, it may often happen that they are not paid off at the port, at which they originally shipped. They cannot, therefore, organize a machinery for collecting contributions or administering the funds required to provide sufficient pensions. The task, in short, is so extensive in its scope, and important in a national point of view, that it can only be carried out by the Government, and this is the conclusion at which every Commission and Committee, during the last 30 years, has arrived. The necessity of making the contributions compulsory is the only point on which doubt has been felt. The majority of the Manning Commissioners proposed that the Pension Fund should be self-supporting but voluntary. The contribution for the Naval Reserve was to be paid by the State; but they wished to admit to the benefit of the Fund every seaman, whether in the Navy or the Merchant Service, who might think proper to contribute. Mr. Lindsay differed from the other Commissioners; and his opinion, which is of the greatest value, was that any Pension Fund on the voluntary principle would be a failure. These views were shared by all the professional officers of the Board of Trade. The late Mr. Graves told the Merchant Shipping Committee of 1860 that, although he did not like compulsory measures, yet he thought in the case of the Seamen's Pension Fund compulsion would be a necessity. The same opinion was expressed by Captain Ballantyne, who was specially appointed to represent the views of the Mercantile Marine Association of Liverpool before the Royal Commission on Unseaworthy Ships. The view of those, who are in favour of compulsory contributions, were very ably summed up in the memorandum, prepared for the Manning Commission by Captain Peirce, Superintendent of the Sailors' Home, in London.

"Seamen," he said, "were an exceptional class." What other description of men required their agreements for labour and service, the correction of their accounts, and the payment of their wages, to be watched over by a public officer? This arose from their habits, and their peculiar duties. From youth to manhood they were exposed to temptations and dangers, by sea and land, which surrounded no other class; and they therefore required more than others the protecting arm of a kind and beneficent Government to do for them what they could not and would not do for themselves. Why is it that the seaman does not calculate? It is because the universal feeling among seaman is that they will not live to be old. They see so many die around them, they so seldom meet with an old sailor at sea, that they consider it quite unnecessary to prepare, as other people do, for the contingency of old age. But, it may be asked, what are the views entertained by the seamen themselves? Enquiries were made in 1845, on behalf of the Board of Trade, by Captain Brown, who reported, as the result of conversations with many hundreds of seamen, that there was scarcely any objection to contribute, provided a substantial pension were guaranteed by Parliament. Again, when the Winding-Up Act was passed, a Petition was presented to this House, signed by 400 masters and mates, and 700 seamen, stating that any attempt to raise a Pension Fund on a voluntary principle would be precarious and inefficient. I have recently made an effort to ascertain the feelings of the seamen by personal inquiry. I addressed a meeting at the Liverpool Sailors' Home in December last on this subject, when a resolution was unanimously passed in favour of the plan. I have subsequently been in correspondence with the Secretary of the Seamen's Protective Society, of Liverpool, which numbers several thousand members, all able seamen; and I am informed that since the date of the meeting the subject has been repeatedly considered by the society, and that the general principle of compulsion has been invariably approved. Ten days ago I attended a meeting of seamen at the Shipping Office in the East India Road, when the plan was also received with the warmest approval. But the main point we have to consider is whether the thing proposed is right in itself; for if the House be satisfied that a particular measure is calculated to do good, they will probably be prepared to exert, in case of need, a gentle pressure on prejudiced or improvident men, whom it might be necessary to train up in habits of prudence. Any objection, which might be raised on the part of the seamen to a forced contribution, would be removed if the shipowners were prepared to take a share of the burden. Lord Ellenborough suggested a tonnage contribution of 1*s.* a-ton, arguing that it was but just that the shipowner should relieve those, who would otherwise become chargeable with the maintenance of the seamen by whose labour the shipowner himself had specially benefited. Mr. Young, the chairman of the London Shipowners' Society, proposed that the necessary sum should be raised in three equal amounts—by contributions from the State, the seaman, and the shipowner. With these views Mr. Green and Mr. Dunbar concurred. More recently the Committee of Liverpool shipowners have proposed that a benevolent due of one farthing a-ton should be levied upon all shipping entering our ports, by which means a considerable amount would be raised. It has been calculated by an officer of the Cunard service that the Liverpool proposal for a tonnage contribution would produce £60,000 a-year. Coasters would pay an annual contribution, in lieu of dues for every voyage. Mr. Lindsay expressed an opinion that even though the payment required from the seamen should, in point of fact, fall absolutely on the shipowners, they would be gainers thereby; for the seaman would by this means be bound to the English flag, and less easily tempted to desertion by the higher wages in America. Wages from Liverpool, for a voyage to Callao and back, in a sailing ship, average 60*s.* a month. The wages at Callao and the Colonial ports are almost double that amount. The result is, that the seaman, having nothing to lose by desertion, is easily tempted to leave his ship, and the shipowner must engage a substitute for the voyage home, at double the amount originally agreed upon. Two months' wages must be paid — the proceeds of the advance note passing, as a matter of course, into the hands of the crimp. The administration of the fund must be in the hands of the State, and, with proper regulations, there should be no deficiency. But even if there were an occasional small deficit, it is to be remembered that under the Winding-Up Act the State took possession of £200,000, and that the Government now receives an unclaimed surplus of £9,000 a-year from the wages and effects of deceased seamen, which are administered by the Board of Trade. With the aid of these supplementary resources we have next to consider what amount of pension it will be possible to guarantee to the seamen without loss to the State. The calculations made by Mr. Finlayson for Mr. Labouchere in 1850 and for the Manning Commission in 1859 were based upon the Northampton tables, which gave a more unfavourable view of the expectations of human life than almost any other published experience, and which, it was ascertained by communication with the seamen's benefit societies, accurately represent the duration of the lives of mariners. Mr. Finlayson was asked by the Manning Commission to state what amount of pension commencing at the age of 50, would be secured by an annual payment of £1 from the age of 14. The amount, according to the Northampton tables, payable at the age of 50 would be £8, and at 55 £12 a-year. In this calculation, however, no allowance was made for the secession of some of those who had been contributors to the Fund. When, however, allowance was made for the probable number of seceders, which, in order to make a safe calculation, was taken at 3 per cent per annum, it appeared that the pension commencing at 50, would be increased to £11 5*s*., and that it would be £18, commencing at 55. The number of seceders was taken at the most moderate amount. In the Royal Navy desertion took place to the extent of 8 per cent per annum of the whole number of men employed; and in the merchant service there were fewer obstacles in the way of desertion. Had Mr. Finlayson calculated upon a secession to the extent of 8 per cent, the amount of pension at the age of 50 would have been raised to at least £17 a-year. It will be observed with regret that no proposal has been made with respect to widows. The Commission on Pensions were of opinion that it would be impossible to require the payment of a contribution sufficient to provide for this object. They therefore proposed a voluntary benefit society for seamen's widows, to which the State should contribute £5,000 a-year. I opened my statement by asserting the importance of a Seaman's Pension Fund on national grounds. I conclude by pointing out that it has always been associated by its warmest advocates with the organization of the Naval Reserve. Mr. Lindsay was of opinion that, in lieu of the annual retainer, it would be far wiser to pass men for a year through the Navy, and, instead of giving the yearly fee and an imperfect training, as at present, to offer to the men enrolled in the Reserve the prospect of a pension of £20 a-year, to commence at the age of 50, provided they had in the meantime always followed the sea and held themselves in readiness to serve in the Navy. He calculated that, supposing a Reserve of 60,000 men were obtained, not more than 7,000 would live through their precarious and hazardous career to claim their pension. Thus, for £140,000 a-year we should have, as he believed, a far more effective Reserve than we could command by a payment of £720,000 a-year under our present system. I appeal once more to the example of every maritime State, and to the repeated recommendations of the highest authorities in the country, as furnishing a conclusive argument in favour of the proposal I now make. Why should we longer hesitate to adopt a course which wise statesmanship and enlightened charity alike recommend? I beg, Sir, to move—

> "That, in the opinion of the House, it is expedient to establish a compulsory, self-supporting Pension Fund for Seamen."

Mr. SPEAKER said, that the original Question affirmed by the House was, "that I do now leave the Chair," and on that Question it was not competent to the hon. Member to move his Resolution.

Lord ESLINGTON, who had given Notice of an Amendment to add to the Motion the words—

> "And further it is expedient to establish a system of combined training for the Royal Navy and the Merchant Service in commercial ports in pursuance of the recommendations of the Manning Commission of 1859,"

said, that in doing so he had a two-fold object; first, to raise the tone and character of the merchant seamen of the country, and, secondly, by so doing, to increase its naval power. Higher objects than those no man could aspire to attain. He would premise that on the outbreak of war merchant seamen were absolutely necessary for national defences and other State purposes; and therefore the State ought to contribute in a fair and moderate degree in the training of seamen. But there was another reason why there should be State aid given in this matter. The House voted annually £28,000—last year it was £30,000—under the head of "Relief to distressed seamen abroad." If they substituted the word "diseased" for "distressed" it would more accurately describe the condition of a great portion of those men. The seeds of disease were sown here, they became unfit for duty on the voyage, were discharged at the first convenient port, and brought home at the national expense, that expense being practically a fine on us for neglecting our seamen. He thought he was therefore justified in using the words of the Amendment, which, had he been in Order, he should have moved, and more especially in connection with the phrase, "Combined training," upon which he laid special stress. It was admitted on all hands that the condition of our seamen was not so satisfactory as it ought to be, or as it might be made by proper training. There were two great causes which led to the deterioration of our seamen. The first was their lodging-houses ashore, which ought to be licensed and placed under proper inspection. The other the "advance note," and the power it gave to crimps over the seamen. Both these evils could be remedied; and he was glad to say that most of the best men earnestly desired some remedial measures. A committee had been sitting for the last three years at Liverpool to inquire into the condition of their seamen, and it had collected a mass of most useful and trustworthy information. The House would probably like to know what the real number of our able seamen was, and in connection with the point he would lay some figures before them which would probably startle them. The committee stated that the seamen available at all our British ports at the present time were 202,239 in the gross. Out of these 130,877 were on board sailing ships, and deducting stewards, cooks, &c., the number was reduced to 117,790. In steamers there were 71,362 sailors employed, but of these 50 per cent were engineers, stokers, &c., leaving only 35,681 British sailors. Deducting the foreigners in sailing vessels also, the total amount of British seamen was reduced to 134,496. But from the most careful inquiry made amongst the captains and shipowners of Liverpool it was found that only one quarter of the fo'k'slle men were fit to be rated A.B., and therefore, according to this calculation, there were only 33,600 A.B. sailors in this country, or he would call it 40,000 in round numbers. These were instructive figures, and, if as they stated, we had not got more than 40,000 able seamen in this country, surely it had become a great national object and an earnest duty to try and increase that number. He arrived then at this point. If we wanted able seamen it needed no argument to show that we must train them. If a system of training were necessary—and he thought the House had come to that conclusion—how were they to set about it. In order to answer that question he should refer to the evidence taken before the Manning Commission which sat in 1859. That Commission was one of the strongest ever appointed by the House, and its Report was drawn by Mr. Cardwell, a statesman trained in the most rigid school of economy, and against whom the holding of exaggerated or extravagant views could not be charged. That Report had ever since been regarded as a text book on the subject. Mr. Cardwell presided at one of the sittings of the Commission, and he drew from Commander Hoskyns Brown, a seaman of vast experience, who had been for 25 years registrar of seamen in this country, and who had devoted his life to the study of the question, strong evidence to the effect that the training of boys for the Merchant Service would raise its character, and that if boys were taken from a better class than these found in industrial training ships the Merchant Service would be raised, and desertions would be fewer. He had always advocated the adoption of such a system, and his object was to draw from a better stock, both from the Royal Navy and the Merchant Service, by a combined system of education for both services. There could, he thought, be no doubt that if the class of seamen in the Reserve, under a system which did not commence the training of sailors until they had reached manhood, was superior to that of former times, a higher state of excellence would be attained by the adoption of a system which should commence with the training at an early age, and should also include instruction calculated to fit boys either for the Royal Navy or the Merchant Service. The training of seamen was a self-evident proposition, and in proof of it he had only to refer to the Royal Navy, where boys had been trained with the greatest advantage to the public service. The two gentlemen from the Board of Trade who were sent out to inquire into the condition of our seamen, in their Report spoke in favour of a system of training. Mr. John Burns, who was connected with the Industrial School ship near Glasgow, said that the in-put and out-put of boys was inexhaustible; that there was no difficulty in getting boys, and after they had been trained getting them into the Merchant Service. The Manning Commission proposed that 12 training ships should be placed in as many of the principal commercial ports of the country, but he (Lord Eslington) suggested that only half that number should be at first established, and that if it were done that one should be sent to Ireland—each ship should contain 300 boys, 100 of which number should be trained for and at the expense of the Admiralty; that the Admiralty should provide two guns for each ship, small arms, and cutlasses for the purposes of drill; that there should be a gunnery instructor on board of each ship; and that a tender for sea-going purposes should be also attached to each ship in order that the boys could be occasionally taken well out to sea for the purpose of obtaining additional experience and getting rid of the objection sometimes raised to what were called "port-trained" boys. He did not at all wish to interfere with existing training ships, which were doing excellent work; but the material from which they drew was not that which he desired to see join the Merchant Service. It was calculated that they would produce 3,500 boys a-year, but the Mercantile Marine did not, so far as he could ascertain, get from them more than 1,000. The drain of men in the Merchant Service was 16,000 annually. The annual number of apprentices turned out was, he might add, only 3,500, and taking the extreme view that the Reformatory and Industrial School ships produced a similar number, we should then have only 7,000 to supply an annual drain of 16,000; and it was, as far as possible, to meet that drain that he desired to see training ships established. It would be preposterous for any one to propose that these ships should be maintained entirely by the State, but the shipowners who complained of the inefficiency of the sailors, and who would benefit by their improvement, if their complaint was well grounded—and he had no reason to doubt it—should contribute their fair share of the expense. The Royal Commissioners proposed the imposition of a rate of 6*d.* per ton on all ships except those which took apprentices, and the Liverpool Committee recommended that all ships below 100 tons should be exempted because they were chiefly coasters employing boys, and they were practically one of the best nurseries of seamen. He must candidly admit that at present there were objections raised by a large number of shipowners to the proposed tax. One reason, which he trusted would prove a passing one, was the present depressed state of the shipping trade; but he apprehended the principal reason for their objection was the idea, that if anything were done to elevate the able seamen it would have the effect of raising wages. Even if that were so, the shipowners would have no reason to complain, because they would get good and efficient men, and there would ultimately be an improvement in the tone of the Merchant Navy that would be of the greatest possible service to the shipowners and to the community at large. A great many shipowners advocated the imposition of a tax, and Mr. Burns suggested 4*d.* a ton. The British tonnage was estimated at 6,000,000, but, taking it at half that amount, a 6*d.* rate or tax would produce £75,000 a-year, but taking it at only £60,000 it would go a considerable way towards the maintenance of training ships. Taking the cost of a boy at £25 per annum, it would only give 3,000 boys to be added to the 7,000 already referred to with which to meet our annual drain of 16,000 men. That was a moderate proposition, and if it should be tried and proved successful it was capable of unlimited expansion, and would be a great boon to the mercantile community of this country. The proposal had already obtained public support to this extent. The First Lord of the Admiralty, in distributing the prizes in June last on board the *Conway* training ship, advocated the training of boys, and expressed a hope that before he left office he should see training ships started in all the large ports of the country, and therefore he claimed the right hon. Gentleman as a powerful ally in support of this Amendment. Then there was the Report of the Royal Commission in support of the view for which he contended, as well as that of the Liverpool Committee of Inquiry. At a great meeting, too, of shipowners which had been held in the early part of the year in the City of London a resolution was unanimously passed to the effect that a large proportion of the annual casualties at sea were caused by "the inefficiency, intemperance, and negligence of seamen," to his mind clearly pointing out the necessity for some remedy; while at a meeting of the representatives of the Associated Chambers of Commerce held at the Westminster Palace Hotel a few days after, a proposal in favour of a system of training boys for the Merchant Service was adopted. We had, moreover, the Liverpool Chamber of Commerce suggesting that the Government should establish and assist in maintaining such ships, while the Liverpool Underwriters' Association had declared it to be their opinion that the present inefficiency of seamen had a very material bearing on the rate of premiums on insurance. The Liverpool Seamen's Protection Society had also passed a resolution in favour of training ships for the Navy. These opinions were not confined to the Merchant Service, but had been favourably received in the United Service Institution, at discussions in which naval officers had taken a part. The Secretary of State for War had proposed schemes of mobilization, the formation of camps, and the increase of the Army, which had received the assent of the House, all incurring a large increase of expenditure for the Army, but, after all, the Army was a secondary consideration to the Navy. If their first line of defence was broken, a great amount of the expenditure which they had devoted to military improvement would be thrown away. If once the soil of England was trodden by the foot of an invader, the honour of this country would receive a terrible blow, and it was in order to strengthen the naval power of this country that he had brought this subject before the House. He would conclude by reading to the House a maxim which was as true now as when it was first expressed—"Trade and navigation form the foundations of naval power; and the nation possessing these elements in the highest degree must always command supremacy at sea."

MR. GOURLEY said, he could not agree with the noble Lord in his Motion respecting training ships, because he believed that seamen would never submit to be compulsorily taxed for the purpose of providing a pension fund, more especially because the management of former pension funds had resulted so disastrously. The Motion, however, brought forward by the hon. Member for Hastings (Mr. T. Brassey) was one of an entirely different character. He (Mr. Gourley) held that it was the duty of the State, in order to secure for itself a proper supply of seamen, to provide in some form a pension fund for our Mercantile Marine; because they were, in the first place, liable to be impressed in time of war to fight the naval battles of the country, and formed at all times a nucleus for the equipment of the Royal Navy. During the Great War ending in 1815, it was computed that 100,000 merchant seamen were drawn from their regular employment to serve their country, and it was to them that we must look on any sudden emergency. There were several sources from which a seamen's pension fund might be provided. One was the surplus light dues. Those dues, levied from the merchant ships of this and other countries by the Trinity Board, brought in £340,000 a-year, and the surplus of £40,000 a-year might be well appropriated to a pension fund for seamen. The receipts of the Mercantile Marine offices were derived partly from seamen and partly from shipowners, and the surplus might be appropriated to the same object. Then the fines levied in police courts in connection with seafaring offences might, as in France, go towards such a fund, together with the proceeds of unclaimed wrecks and wages, and a certain portion of the Greenwich Hospital fund. By these sources of revenue about £100,000 per annum might be secured towards a seamen's pension fund. At the same time, he agreed in the necessity of establishing training ships at the various ports. That was one of the recommendations of the Manning Commission of 1859, and if it had been carried out not only would there be at the present moment a better supply, and especially a better description, of seamen, but also a more efficient Naval Reserve. There was an abundance of seamen—more, indeed, than were wanted—but, although there were many good seamen, there was a large supply of indifferent seamen. The other elements of our Mercantile Marine were Norwegians, Swedes, Prussians, Italians, Greeks, and Lascars; and the Peninsular and Oriental Company now navigated some of their ships by Indian seamen, who were not to be compared as seamen with the able seamen of this country, but who were sober men, and therefore navigated ships more safely. They were, however, not to be relied upon in case of emergency, and a captain had recently told him that in case of bad weather or collision, they would run below and make no effort to save either themselves or the ship. It was the character of our seamen that was of more importance than the number, and training ships and other means of providing them would be of little avail until we got rid of our drinking customs. In the ports of Liverpool and Portsmouth there were more public-houses by the side of the docks than in any other part of the Kingdom. The public-house was brought, as it were, to the very decks of the vessels, and until we got rid of this evil, and of its associations and consequences, we should never make our seamen what they ought to be. He would urge the serious consideration of the question of training ships, and while he agreed that a pension fund was necessary, he thought it ought not to be raised from the sailor by compulsion.

Mr. HUNT said, he would leave the President of the Board of Trade to deal with the question of pensions for seamen, but he might say that if shipowners were to adopt the system of the Navy and enter men for continuous public service, he thought the question of pensions might be settled. In the case of the great steamship companies there would be no difficulty in adopting such a system, and even by combination smaller shipowners might engage men for continuous service and make pensions part of the engagement. He rose, however, to make some observations on the subject of training ships for boys for the Mercantile Marine, and with regard to it, he would repeat the sentiments he had expressed on board the *Conway* at Liverpool, and state that he took the deepest interest in the establishment of training ships for the Mercantile Marine in the different ports; and to a deputation of shipowners he had expressed the willingness of the Government to promote the movement, and had stated what the Government might fairly be called upon to do. The question was one of Imperial interest as well as of interest to shipowners, for the Government naturally looked to the men of the Mercantile Marine as their Reserve in case of war, and it was therefore perfectly fair that the Imperial Treasury should bear a proportion of the cost of training boys for the Mercantile Marine. Those who were anxious to see the establishment of training ships were of opinion that the Government should bear a large portion of the expense, and he admitted that the Government ought to bear its due share; but he could not admit that a due share would be anything like the larger part of the cost. He could not endorse the opinion that the Government ought to maintain 100 boys in each ship, unless, indeed, they could get from each ship 100 boys for the Navy; but he was willing to adopt the principle of payment by results, and he had conveyed to the shipowners the willingness of the Admiralty to pay £25 for each boy who actually joined the Navy, that being the sum mentioned in the Report of the Manning Commission as the cost of the maintenance of each boy, and £3 a-head for those who joined the Naval Reserve. He thought also the Admiralty might be called upon to provide ships, but instead of beginning with 12 or six, he should be glad to make a beginning with three in the first year, and to go on increasing them year by year till they had a sufficient number of ships for the different parts of the country. These were all the charges that he thought Imperial funds ought to bear. He was surprised that shipowners did not see that their interests were involved in promoting the movement. It could not be started and maintained unless they would put their hands into their pockets, either voluntarily or by the payment of a tax to be imposed by Act of Parliament. He could not but think they would find it to their advantage to incur the necessary outlay, because they would diminish their losses by providing a better class of men to navigate their ships. He felt sure the investment would be a paying one, and that they would reap the advantage. Concurring in the view of the noble Lord the Member for South Northumberland (Lord Eslington) that boys should be trained while young for the Naval Reserve, he had established a third class of boys, and he had intimated to the different training ships that the Admiralty were prepared to receive boys in that class, making a payment of £3 a-head, and entering them as soon as they joined a mercantile ship on leaving the training ship. In addition to the payment to the ship the Admiralty had undertaken to find each boy a suit of clothes. He thought this would be the means of increasing the Naval Reserve, which was in a more flourishing condition now than it had been for some time.

MR. WHALLEY said, that the true solution of the Plimsoll difficulty was to take means for manning their ships by men of character, and he believed that public opinion both in Liverpool and Manchester were in favour of the movement. He thought that voluntary training ships were admirable institutions, there being a great advantage in their being supported by men who took an active interest in the welfare of the sailor, and he was glad that the Government were so ready to lend assistance in this work. The great thing that was wanted was, that the sailor should feel that he had a home to return to, and that he should have the confidence that there were men in his own land who were untiring for his good. If they had sailors properly trained in the manner he desired, each of these men would be a sort of "moral torpedo," and would be likely to keep those who were inclined to be wrongful doers on the watch. He thought it would be better that Government should give substantial assistance in the undertaking, rather than that the work should be taken wholly in hand by them.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. WHALLEY, in resuming his observations, expressed a hope that the chief management of such undertakings might remain under voluntary direction.

MR. WILSON thought it would be satisfactory to the House and to the country that the subject had assumed so prominent a position, and that such opportunity had been given for full discussion. He thought the pension fund seemed to point to an additional tax upon seamen, but the wages of our seamen were already more than duly taxed as compared with those of foreign seamen. While he believed that the establishment of the good-service pension fund would tend to improve the character and increase the efficiency of the merchant seamen, he did not think it advisable that Parliament should establish such a fund. There were certain public funds which at present stood to the credit of the Mercantile Marine, and he should be in favour of applying a portion of those funds to the formation of a good-service fund, out of which pensions might be given to deserving and well-conducted men. The shipping trade was, at present, in a state of depression, and the attempts which had been made during the past two or three years to interfere with it by almost incessant agitation had greatly discouraged those who invested capital in this important branch of industry, by making them feel that, with increasing liabilities, it was becoming a hazardous, if not an unprofitable enterprize. One of the evil effects of the agitation to which he had referred was that foreign steamers were increasing in a greater ratio than English ones. He was favourable to pension funds formed among the seamen themselves, as friendly societies were established by working men. In the port of Hull there had been formed a society called the "Plimsoll British Seamen and Firemen's Defence Association." In justice to the hon. Member for Derby, he ought to say that the hon. Gentleman had retired from the presidency of that association, though it still retained his name in its title. The members of it each contributed 10*d.* a-month, which was 10*s.* a-year; and there were from 400 to 500 belonging to the association. It surely followed if seamen could combine together for that purpose they could also combine to establish a pension fund, without the interference of Parliament.

The question of training ships should be dealt with on the voluntary principle. If shipowners found that there was a deficiency of seamen it was their duty and their interest to establish these training ships in order to provide themselves with what they required. He doubted, however, that there was so great a deficiency in the supply of seamen as had been represented. As to demoralization among seamen, in his opinion it was caused mostly by drunkenness and intemperance; and, so far as his experience in Hull went, he deplored the extension of the opening hours of public-houses granted by the House under the Bill of the Home Secretary, because it had produced a great amount of evil among the seamen of the port as well as among the inhabitants of the town. Why did English merchant captains ask to be allowed to employ Lascars? Because Lascars could be relied upon as sober men and as honest men. He did not understand why the shipping interest should be legislated for at every turn, so that even the men could not be engaged without being taken to the shipping office; and he deprecated a feeling which seemed to be not content with the Government interference which now prevailed, but wished to carry this interference still further. With the Mercantile Marine of the whole world to compete with British shipowners had to study every item of expense; and legislation concerning them must take a very different turn from what it had done lately, if England was to maintain the supremacy of her Mercantile Marine.

Sir JOHN HAY said, that the hon. Gentleman who had just spoken had stated that English captains preferred to employ Lascars because they were honest and sober, apparently intimating that British sailors were neither the one nor the other. For his own part, he did not think that was a character which the British sailor deserved; but if it was so, he was afraid the hon. Gentleman's evidence must be taken as showing that the condition of the British seamen was not what the House would desire it should be, and that it deserved inquiry. With regard to a pension fund, his own impression was that it would be of the greatest advantage to seamen, but that until the shipowners approved of its formation, it would be impolitic to insist upon the proposal being carried out. He had a suggestion to offer for the consideration of the Vice President of the Council. It was, that at seaports a school-ship should be substituted for an ordinary board school on shore, and that the education to be given there be under the control of the Education Department. In that way the proposal which had been made by the First Lord of the Admiralty would be assisted by the ratepayers of the locality near which the ship would be situated, while the First Lord might obtain from such a school a certain number of educated boys for the service of the State, and the Merchant Service also might obtain seamen who would be found superior to those Lascars of whom the hon. Gentleman thought so highly.

Sir ANDREW LUSK wished to know why it was that hon. Gentlemen selected the shipping interest for experimenting upon, and shipowners for receiving instructions as to how they should carry on their business. Why should a tax be placed on seamen and not on cotton-spinners, miners, and engineers, who earned such large sums of money? We did not like compulsion in this country. The President of the Board of Trade was a man of great discretion and prudence, and he trusted the right hon. Gentleman would not interfere with the shipping trade where it could be avoided. At present, as compared with that of other nations, it was heavily handicapped and tied down by the trammels which Parliament was continually imposing upon it. He did not think training ships had been quite so successful as they were sometimes represented. Boys might be trained, and after all refuse to go to sea; and who could compel them? He objected to their throwing any charge on shipowners on that account. He hoped the Government would discourage this kind of experimental meddling which never ended in any good. The only true remedy for the deficiency of seamen was an easy and a simple one — namely, the offer of higher wages, and if that course were taken, improvement would soon manifest itself.

Sir CHARLES ADDERLEY wished to say a few words with respect to the two very important subjects which had been brought under the consideration of the House. One of them was for the revival of the Merchant Seamen's Fund, and the other for the increase of training ships; but neither the hon. Member for Hastings (Mr. T. Brassey) nor the noble Lord the Member for South Northumberland (Lord Eslington) had pointed out any practical scheme for carrying out their proposals or leading to any change in the policy which Government were pursuing on both those subjects. The hon. Member for Hastings said nobody disputed the value of a pension fund to seamen. Undoubtedly that was so. A pension fund on a sound basis would be the greatest inducement to seamen of the best description to join the sea service; secondly, it would be the greatest inducement for them to continue in the service; and, in the third place, it would prevent that most painful degradation of the service, that seamen, on arriving at the age of 60, if they did reach that age, generally fell on the poor rate. That being so, the hon. Member said it was most desirable to revive the Merchant Seamen's Fund; but he did not even indicate the mode in which he proposed to do it. The Merchant Seamen's Fund was a failure. Could the hon. Member propose a fund on another principle which would not be liable to failure like the first? Mr. Labouchere brought in a Bill in order to carry out the views of the Royal Commission; but it could only be carried out by a tax on shipowners, and the shipowners objected. So far there was no encouragement to revive the fund. In 1851 the Winding-Up Act was passed. That Act had cost this country £1,000,000, and it would cost at least £600,000 more, and Mr. Hamilton, of the Board of Trade, a gentleman of great experience, told him it was within possibility that it should take 100 years from now to extinguish the ultimate liabilities on the fund. So far, at all events, there was very little encouragement to carry out the hon. Gentleman's proposition. Since 1851, nothing had happened on the subject but the Report of the Manning of the Navy Commission. That Commission reported in favour of voluntary funds. He need not go into the details of their proposition; nobody thought of recommending the adoption of it. And what had occurred before? A distinct condemnation by experience of the principle of their proposition. As to a compulsory self-supporting system to provide pensions for the Mercantile Marine, the difficulty was that nobody knew how to carry it out, and it had been found by experience impossible to work it. He maintained, therefore, that the hon. Member for Hastings ought, in support of his proposition, to have shown how it was practicable to re-establish a Merchant Seamen's fund upon principles different from those which were fatal to the experiment formerly tried. The first difficulty connected with a re-establishment of the Merchant Seamen's Fund upon principles different from those which were fatal to the experiment already tried was the actuarial difficulty. Actuaries failed to find the average life of seamen, or to make safe calculations on their wandering and precarious employment; and he believed it to be an unsolvable problem. [Mr. T. BRASSEY: I adopted Mr. Finlayson's figures.] But they had signally proved treacherous. The shipowners had positively refused to tax themselves to provide a fund for pensions to seamen. He recollected the utter failure of an attempt made some years age to raise a schoolmasters' pension fund, and it failed on this simple ground, that schoolmasters as a body were so differently circumstanced, and so many of the best had insured themselves, that it was impossible to reduce to any uniform system for that class of men, either a rate for their contributions or the benefits they were to receive. The most provident schoolmasters had themselves secured pensions for their old age, and the only men left to subscribe would have been the least inclined or suited part of the schoolmasters. He believed the case of seamen would be much the same. The most provident of them—and that class, he believed, had increased—had already provided for themselves by large deposits in the savings banks. That, he thought, was the best way for a seaman to provide for himself in old age, or for his widow and children after he had gone. He fully admitted that the country was indebted to the hon. Gentleman for having brought forward the subject. No man was more competent to deal with it, and no man could have dealt with it in a more philanthropic spirit; but he must say he thought the hon. Gentleman had failed in showing an efficient plan for the avoidance of former failure in the establishment of a seamen's pension fund. With respect to the proposal of the noble Lord the Member for South Northumberland (Lord Eslington), it was a well-known fact that a great many more casualties arose from the unseaworthiness of crews than from the unseaworthiness of ships, and if we could get a better disciplined class of seamen, who from youth had been brought up in steady, moral habits, self-respect, and intelligence, more than one-half of the casualties at sea would cease. All were agreed that we must rely upon the education of boys more than upon any influence on men to introduce improvement in that respect. To train up a nursery for seamen was of the utmost importance. The question was very much a question of money. Who was to supply the funds? The State had to a certain extent done its part. He was not sure whether it had done all its part. Perhaps it might do more in the same direction, but he thought on the point of principle the State had adopted all that it ought to do. It had established and maintained training ships under the Reformatory Acts, Poor Law, and under the Industrial Schools Act. The duty of the State was to look after the waifs and strays of the country and see that they were put out of the way of mischief, and in the way of useful service, and that the State had undertaken. With respect to the children of independent parents, we must leave to the principles of supply and demand their special training for any kind of industry. If we would only bear that principle in mind we should see that the public money ought not to subsidize the natural obligations of parents in bringing up their children for this or any other line of livelihood. The result would be fatal to the independence of the people, and the practice would be open to almost unlimited abuse. Charitable and voluntary societies might most usefully assist poor parents to train their children for this or any other service, but to ask the State to come forward *in loco parentis* and undertake the industrial training of the children of this country would be a fatal error. The right hon. and gallant Member for Stamford (Sir John Hay) thought that the Educational Department of the Privy Council might make such grants, but he appeared to forget that the Privy Council grants were never given for the board and lodging of any children, but only for the tuition of poor and young day scholars in school. The highest use of wealth was to enable the poor to get advantages which they could not themselves get. There were all sorts of institutions in the country in which the training for various branches of industry was carried on. And that was exactly what the shipowners ought to do for the sea service. So far as the national service was to be benefited by training seamen for the Naval Reserve, so far public money might fairly contribute. Training-ships for the children of respectable poor parents should be supported partly by charitable and voluntary contributions, partly by the State, and partly by the parents themselves. Nothing could be more unfortunate than the present state of things; the dependent class being necessarily aided, but the independent, well-conducted, industrious class receiving no assistance. While the reformatory boys, paupers, and vagrant boys were trained at the public expense, the respectable class of children were handicapped in the race of this kind of industry and alone obtained no help. The result was that, while taking strong measures to improve the Mercantile Marine, we were doing our best to draw sailors from the worst class, and were throwing away the natural supply of the better class to improve the service. The problem to be solved, therefore, was how we could promote on sound principles the establishment of training ships in which the better classes of boys could be brought up as sailors. He was glad to say that many such ships were already established on the Thames and on the other principal rivers, and that he had received offers to establish others. He heard with satisfaction the offer that had been made by the First Lord of the Admiralty, which he thought would be the right sort of contribution on the part of the State. By a clause in the Merchant Shipping Bill it was proposed that grants should be made to such training ships from the Mercantile Marine Fund, and he thought there could not be a more legitimate application of a particular portion of that fund than to that purpose. It might not be possible to make large grants from any present balances in that account, but it would be a good beginning, and if found useful, might lead the shipowners to consent to increase the fund.

CAPTAIN PIM said, he wished to say a few words, as his figures had been challenged. The Mercantile Marine consisted of 25,000 ships and 200,000 men, of whom 70,000 were seamen. The waste in the Mercantile Marine amounted to 16,000 per annum. Last year to supply that deficiency there were only about 4,000 apprentices and 1,000 boys from training ships, so that on account of waste there was a deficiency of no fewer than 10,000 men. Besides that, it should be remembered that great difficulty and inconvenience arose from the introduction of a large number of unqualified foreigners into the service. He had known ships that had passed Gravesend whose entire crews from the captain downwards were foreigners. From a Petition presented to that House by the London Seamen's Mutual Protection Society it appeared that the proportion of foreigners to British seamen on British merchant ships reached more than three-fourths of the whole; and from a Return which he had moved for and obtained last Session it appeared that no less than 968 foreigners were masters of British merchant ships, while at this moment nearly 700 were mates and 77 were engineers. Surely that was a state of affairs which required the earnest attention of the Government.

MR. T. E. SMITH believed they were in the wrong, as regarded their training ships. He looked upon training ships as very valuable reformatories, but did not think they were the best places to train up sailors. There was only one way of making a boy a seaman, and that was to send him to sea. With that in view, it would be better if the money were spent in giving the boys six months' real training at sea than in keeping them two years on board a training ship in a harbour.

MR. D. JENKINS suggested that if shipowners felt themselves at a disadvantage owing to the deficiency in the supply of seamen they could remedy the matter for themselves by carrying and training a large number of boys on board their ships.

LEGAL DEPARTMENTS COMMISSION, 1874—THE REPORT.—QUESTION.

OBSERVATIONS.

LORD FREDERICK CAVENDISH asked, What, if any, steps the Government propose to take with respect to the Report of the Legal Departments Commission, 1874? He explained that that Body had pointed out various reforms which ought to be carried out—for instance, they had shown that there were many officials whose duties were merely nominal; that in certain of the offices where the work was hardest the officials were the least numerous, and *vice versâ;* that in certain cases where the work was mose arduous the pay was the smallest, and *vice versâ;* and many other abuses. Recommendations were made by the Commissioners, in the way of appointing one responsible head in these cases, with the view of remedying these evils, which indeed were not denied by either side; but as nothing had yet been done he would like to know what were the intentions of the Government? One of the most important reforms suggested was the collection of all the scattered offices under one central roof. The excuse for inaction hitherto had been that until the effect of the working of the Judicature Act had been ascertained by practice, it would be inadvisable to take action. Beyond and above the reforms contemplated by the Commissioners an inquiry was recommended into the Scotch and Irish legal Departments. He should like to know when that was to be instituted.

MR. W. H. SMITH said, he had great pleasure in announcing that steps had been taken as far as possible to carry into effect the recommendations of the Commission referred to by his noble Friend, recommendations whose value and importance were fully appreciated by the Government. They were as fully alive as any one could be, but they were prevented from moving fully in the matter, because a sufficient time had not as yet elapsed since the passing of the Judicature Act to enable the Lord Chancellor definitely to recommend the changes which might hereafter prove necessary. He could, however, assure the noble Lord that steps had already been taken in the way of suspending some appointments, and making others temporary, with a view to rendering the executive departments of the Courts of Law neither more nor less than was absolutely necessary for the administration of justice. If it were necessary to introduce a further suspensory Act it would be done in the course of the present year; but, in the meantime, the Lord Chancellor, who had already given the subject much careful consideration, would continue to do so. The noble Lord had referred to the Courts of Law in Ireland, and he could only say—not being in a position to speak of the provisions of a Judicature Bill which was in course of preparation—that inquiries had been made by Her Majesty's Government, and that the information obtained had enabled them to prepare a measure which he hoped and believed would prove satisfactory, and which was intended to effect economy on the one hand, and on the other to give that strength and force which were necessary to the due administration of justice.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £6,992, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses."

MR. W. JAMES said, a great many of the officers whose salaries were included in the Vote seemed to be purely ornamental. What were the duties of Ulster King-at-Arms, who was set down for £750? Who were the "Gentlemen-at-Large," and what were their duties? They received £128 each, and the Athlone Pursuivant of Arms £190. Some gentlemen might wish to abolish the office of Lord Lieutenant as a badge of conquest, an excrescence of modern growth, originating in an age when there was great vulgarity of thought. Though it might be acceptable to some, Irish tastes was at variance with English common sense.

MR. W. H. SMITH replied that the duties performed by Ulster King-at-Arms were similar to those of the College-of-Arms in London. The remuneration he received was less than the fees paid into his office, and the excess went to the Treasury. With reference to the Gentlemen-at-Large, the offices they filled were necessary to the dignity of the position held by the Lord Lieutenant of Ireland.

MR. ANDERSON said, that the right hon. Baronet the Chief Secretary for Ireland had promised some information on the subject of the Queen's Plates, which were included in this Vote; and asked whether the new rules for the regulation of those in England would be applied to those of Ireland and Scotland? He had hoped that after what the right hon. Baronet said last year the money this year would have been applied to some more useful purpose.

MR. J. COWEN remarked that these plates were given ostensibly to improve the breed of horses, and he did not know why there should not also be Votes for improving the breed of pigs and cattle. Indeed, he thought the money would be better bestowed for the latter purpose on agricultural shows, as certainly no improvement in horses resulted from these plates. The fact was that these prizes did not bring the best horses. Races, like everything else, had greatly changed in these days. The prizes given were larger and the distances run much shorter than formerly. There were 32 Queen's Plates in England, and it frequently happened that one horse won half of them. A year or two ago one horse won 17 out of the 32. In eight, nine, or ten cases, the plate was walked over for; and, on an average, no more than three horses ran for the remainder. The prizes, in short, were not large enough. Last year, at Newmarket, the three plates of £100 each were turned into one prize of £300, and the result was that nine horses competed for that race. At Newcastle and Carlisle, instead of a race at each place every year, it was now arranged that a race for £200 should take place at those towns in alternate years. Similar arrangements had been made between Liverpool and Manchester, and other towns. He would move that the Vote be reduced by the sum of £1,562, the amount set down for Queen's Plates.

Motion made, and Question proposed,

> "That a sum, not exceeding £5,430, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March

1877, for the Salaries of the Officers and Attendants of the Household of the Lord Lieutenant of Ireland and other Expenses."—(*Mr. Cowen.*)

MR. STACPOOLE wished to see the new system now on trial in England tried also in Ireland. The Queen's Plates should be divided between the provinces. At present a regular "plater" was frequently sent over from England—one which had beaten the best English horses, and one, therefore, which nobody cared to run against. Such a system did nothing for the improvement of the breed of horses.

CAPTAIN NOLAN thought that it would be a great improvement if, instead of giving so many of the Queen's Plates to the Curragh, they were distributed between the provinces; or, better still, if the prizes were increased and the number of races lessened. In that case they would have more competition, and improve the breed all over the country.

MR. MURPHY thought a better distribution of the money would be advisable. He would recommend his hon. Friend the Member for Newcastle to be satisfied with having called attention to the Vote.

SIR MICHAEL HICKS-BEACH said, that he gave an undertaking last year that it should be considered whether this money could be more usefully applied, either by the amalgamation of existing plates or otherwise. In pursuance of that promise, the Master of the Horse had been in communication with the Lord Lieutenant, in order to ascertain whether it would be possible to come to an arrangement for the redistribution of the plates given at present. The money was intended to serve two purposes, the improvement of the breed of horses, and contributing to the amusement of the people. As yet no definite plan had been decided upon; and there appeared, so far as he was aware, to be considerable objections to any change that had been proposed. He was afraid that the amalgamation of the plates into a far larger prize would increase the temptation to send over a few superior horses from England, who would carry off all the prizes and discourage the native breeders.

MR. RAMSAY expressed his regret that the Chief Secretary for Ireland felt it his duty to ask the Committee to sanction the Vote. This money had been proved to be wasted; and, for his own part, he could not see how the Irish people could be either amused or enlightened by seeing two or three horses merely go over a course. What the Government ought to do was to bring forward some proposal to expend the money in improving the breeds of horses and all kinds of stock in which the Irish so much excelled.

MR. J. W. BARCLAY said, the breeding of horses was a very important thing in Ireland, and he should be glad at the expenditure of this money if he thought it would improve the breed of the horses; but by universal testimony this particular application of the money did not attain that object. In Scotland of late years very great attention had been paid to the improvement of agricultural and carriage horses, and experience had shown that the offering of a prize of £100 or £150 formed a very great inducement for this class of horses to be brought forward, and it was always a condition of winning a prize that the horses should be retained in the district during the season. He thought something of the kind might be applied to Ireland.

SIR ANDREW LUSK could not understand why £1,500 a-year should be taken out of the pockets of the people to throw it away on objects which had been generally condemned as useless if not mischievous.

MR. COLLINS hoped the hon. Gentleman the Member for Newcastle would not press his Motion to a division, as the money was voted for a good purpose, and the Irish Members were unanimous in the opinion that the money was not wasted.

MR. MACDONALD observed, that Irish horses came over to this country and took away the principal prizes, and therefore there was no necessity to send money there to improve the breed of horses.

MR. MUNTZ thought it would be very ungenerous to refuse this money to the Irish, who loved fun and racing and horses. The English people loved Epsom and Ascot, and he did not see why the Irish should be precluded from their enjoyment.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Vote *agreed to.*

(2.) £27,530, Chief Secretary for Ireland Offices.

Mr. SULLIVAN asked for some information as to a new office that was mentioned in the Vote—that of the Assistant Under Secretary.

Sir MICHAEL HICKS-BEACH said, that the office had been created in the course of a re-organization, which had become necessary, but it really involved no extra charge.

Sir ANDREW LUSK asked for an explanation of the duties of the director of the Veterinary department, who was paid £800 a-year, and his assistants and clerks.

Sir MICHAEL HICKS-BEACH said, the Vote did not represent the entire staff of the Veterinary department in Ireland, but only those clerks under the direction of the Veterinary department in Dublin, and the sum paid to him was not a large sum compared with similar officers in England.

Vote *agreed to.*

(3.) £460, Boundary Survey, Ireland.

(4.) £2,058, Charitable Donations and Bequests Office, Ireland.

(5.) £6,050, Public Record Office, Ireland.

(6.) Motion made, and Question proposed,

"That a sum, not exceeding £28,675, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of Public Works in Ireland."

Mr. MITCHELL HENRY complained that although the Act of Parliament required that there should be three Commissioners of Public Works in Ireland, one of the Commissioners had ceased to receive salary, and an Assistant Commissioner was appointed without his proper rank and remuneration. The Office of Works was altogether under-manned, though there was no department of greater importance in Ireland. The Assistant Commissioner was moreover appointed in consequence of his knowledge of engineering, drainage, and waterworks; but he had been placed in the architect's department, where his special qualifications were not available.

Mr. SULLIVAN believed there never was a greater misnomer or "sham" than the Board of Works in Ireland, for it was a bureau which executed no great public works at all. It managed a loan office in a very narrow spirit, and through its fault important clauses of the Land Act had been rendered inoperative. Its other functions were to mend the broken panes in the Chief Secretary's office and in the Four Courts of Dublin, or, perhaps, to build police barracks. Some of its officers, the architect in particular, managed to pass their time by discussing the conduct of Ministers and hawking Petitions about the office, compelling the subordinates to sign them for political and partizan purposes. The duties of the loan department were so managed as to deter persons from borrowing, and 7½ per cent for the management of the fund was far too high a charge. He begged, therefore, to move that the Vote be reduced by the sum of £839, the amount of the architect's salary.

Motion made, and Question proposed,

"That a sum, not exceeding £27,836, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of Public Works in Ireland."—(*Mr. Sullivan.*)

Mr. MUNTZ asked why it was, if the Commissioners discharged no duties, a sum of £500 was charged for travelling expenses?

Sir MICHAEL HICKS-BEACH thought there was much more force in the allegation of the hon. Member for Galway (Mr. Mitchell Henry), that the office was under-manned, than in that of the hon. Member for Louth (Mr. Sullivan), who said that it had little or nothing to do. It had important duties to discharge; if it had erred at all in discharging them it had been rather in occasionally giving loans without sufficient security than in refusing them where they ought to have been granted. The Secretary to the Treasury would shortly bring in a Bill to "write off" a considerable number of loans advanced by the Board of Works which could not be recovered for the State. The charge that a superior officer of the Department had hawked about the office Petitions for signature by the clerks was entirely unfounded. The fact was, as he had previously stated, that a Petition was brought into the office by a private individual and shown to the architect, who chose, in the exercise of his discretion, to sign it, and when it was handed to the other clerks they did the same.

CAPTAIN NOLAN observed, that the Bill in reference to the Shannon had fallen through, chiefly in consequence of no appeal having been provided for the proprietors against the rates to be levied. He wished to know whether it was the intention of the Government to take any steps with respect to the drainage of the Shannon and the Suck?

DR. WARD said, it was a great evil that a considerable portion of the government of Ireland was committed to Boards which were practically irresponsible. As an illustration, he might mention that a canal had been made through his own borough, but the keeping of it in repair was committed to irresponsible persons, and the consequence was that, being left without any protecting wall year after year, a large percentage of the population were in danger of being drowned.

MR. STORER called attention to the great increase in the Irish Votes in these Estimates.

MR. W. H. SMITH said that the increase in travelling expenses was due to the increase of labour thrown on the Department, and nothing was passed but what was absolutely necessary. Some negotiations were going on with respect to the upper part of the Shannon, but they had not as yet been communicated to the Treasury.

In reply to Mr. RYLANDS,

MR. W. H. SMITH said, that the items composing the charge of £5,209 for the architect's department had reference to the National Education Buildings, the Queen's Colleges, the naval and military Departments, Law Courts, the convict prisons, and other important public Departments.

MR. MITCHELL HENRY said, the complaints of himself and the hon. Member for Louth, though apparently opposite, were easily reconciled. There were three Commissioners; they were not employed in looking after petty details in the repair of public and private offices; and their function was to consider in what direction material improvement could be carried out. He wished to know whether the Secretary of the Treasury or the Chief Secretary for Ireland intended to carry out the provisions of the Act of Parliament by appointing three Commissioners, so that the office, which was one of great importance, might be conducted with the proper amount of brains?

MR. COLLINS contended that as the Department was in no respect connected or under the control of the Irish Government the Vote ought to be an English and not an Irish one. If the office in question were brought under the control of the Government of Ireland, a great alteration for the better would be effected.

Question put.

The Committee *divided*:—Ayes 78; Noes 123: Majority 45.

Original Question again proposed.

MR. MUNTZ moved to reduce the Vote by £500, on the ground that he was not satisfied with the explanation afforded in reference to the travelling expenses charged in the Estimate.

Motion made, and Question put,

"That a sum, not exceeding £28,175, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Office of Public Works in Ireland."—(*Mr. Muntz.*)

The Committee *divided*:—Ayes 81; Noes 123: Majority 42.

Original Question put, and *agreed to*.

(7.) £18,237, Registrar General's Office, &c. Ireland.

(8.) £21,550, General Survey and Valuation, Ireland.

(9.) £78,000, Pauper Lunatics, Ireland.

CAPTAIN NOLAN asked if any portion of the Vote would be applied to the maintenance of lunatics in workhouses as well as in district asylums?

SIR MICHAEL HICKS-BEACH said, that the question was one rather for the Chancellor of the Exchequer than himself, but he was not aware that any such intention existed. He should remind the hon. and gallant Gentleman that all dangerous lunatics were provided for.

Vote *agreed to*.

CLASS III.—LAW AND JUSTICE.

(10.) £57,061, Law Charges, England.

(11.) £179,848, Criminal Prosecutions, &c. England.

MR. GREGORY said, he did not object to the Vote, but he considered the officers who came within the meaning of the administration of justice, and who accompanied the Judges on circuit, were more ornamental than useful. They had recently the appointment of three gentlemen as referees under the new Judicature Act.

MR. W. H. SMITH said, he had given an explanation on this question at an earlier part of the night; and with respect to those whom the hon. Member for Sussex alluded to, he might state that the question was under the consideration of the Lord Chancellor.

MR. GOLDSMID concurred in the opinion expressed by the hon. Member for Sussex in reference to those officers whose duties on circuit were generally performed by their deputies. The office was, in fact, a sinecure.

Vote *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £173,025, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature, as are not charged on the Consolidated Fund."

MR. WADDY said, he would move the reduction of the Vote by the sum of £1,700, which represented the salaries of one of the official referees of the Supreme Court of Judicature and of his clerk. It was of extreme importance that the gentlemen chosen to be referees should be men of talent, ability, and tried experience, inasmuch as they were to be the judges of law and fact compulsorily, often in cases of great difficulty and complexity. The gentleman whom he objected to was not, until his appointment, heard of in the profession, and he had not that experience in the regular practice of it which the public were entitled to demand.

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £171,325, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for such of the Salaries and Expenses of the Chancery Division of the High Court of Justice, of the Court of Appeal, and of the Supreme Court of Judicature, as are not charged on the Consolidated Fund."—(*Mr. Waddy.*)

THE ATTORNEY GENERAL said, that although he was not personally acquainted with the gentleman in question, he had received from those who were fully qualified to judge the highest testimony to his ability, attainments, and general fitness for his office. He could not admit that a man could not be qualified to become an official referee simply because he had not obtained a large and lucrative practice. [MR. WADDY: Any practice.] If it were the correct principle not to appoint men to high judicial offices until they had attained large practice at the Bar, he could only say that many of the most eminent Judges who had ever sat upon the Bench would not have been appointed. Further, it must be remembered that the appointment had been made by the Lord Chancellor, and no Member of the Committee would deny that the noble and learned Lord had been really and earnestly anxious to fill all the posts by the appointment of the best men. It was possible that the Lord Chancellor was not personally acquainted with all the gentlemen whom he had appointed; but in cases where he had no personal knowledge of the gentlemen in question he had relied upon the judgment, knowledge, and experience of those on whom he was entitled to rely for information and advice.

SIR HENRY JAMES regretted the line of argument which had been adopted by the hon. and learned Attorney General, and he appealed from his hon. and learned Friend to the Government generally to prevent what would otherwise be regarded as a grave scandal. He protested against the question being made one of how the Lord Chancellor had or had not chosen a gentleman for a particular post. The Lord Chancellor had very little to do with the matter, and he therefore trusted that the Vote would be postponed, in order that further inquiry might be made before the appointment was ratified by Parliament. The duties of the gentleman appointed to the office in question would be both varied and responsible, and he would be subject to no public criticism. The gentleman in question had to decide cases without a jury, and before his appointment was ratified, the Committee should have reason to believe that he was a man of experience in the practice of his profession and one who possessed a judicial mind. He challenged any one to say this gentleman had ever substantially practised in his profession—as far as could be learned it appeared that he had never even attempted it. He had made only one appearance on the Home Circuit—and then the Judge dispossessed a revising barrister of his appointment, and gave it to this gentleman. The Attorney General knew, as well as he did, that it was the same Judge who made him a revising barrister that nominated him to the Lord Chancellor, and advised the Lord Chancellor to give him this appointment. Was it right that the House should ratify such an appointment without further information? He was speaking the universal opinion of his fellows in his profession when he said that there were plenty of men willing to serve who had not been failures, who had given proofs of their capacity as arbitrators for years, who were known to be good lawyers, and who had all been put aside merely to make way for the social acquaintance of a gentleman on the Bench. Whilst he felt that the objection and discussion might occasion hardship to a gentleman who was not to blame for having the appointment conferred on him, he trusted that under all the circumstances, the Vote would be postponed.

THE CHANCELLOR OF THE EXCHEQUER confessed that what had been said in the debate on this subject was quite new to him. The most convenient course, he thought, under the circumstances, would be to withdraw the Vote in order that inquiries might be made in reference to the appointment in question.

MR. WATKIN WILLIAMS said, that after the powerful language prompted by the public virtue of the hon. and learned Member for Taunton, he must make a few remarks in favour of Mr. Verey, the gentleman so fiercely attacked—it was mere affectation to conceal his name. He had known that gentleman some years, and protested against his being specially singled out for attack. He did not hesitate to say that the whole four were unsuitable for the post. He believed, however, that Mr. Verey was by far the most fit. He hoped, however, the Government would re-consider all the appointments, as well as the one which had elicited such an unusual display of public virtue from the hon. and learned Member (Sir Henry James).

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That a sum, not exceeding £61,586, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for such Salaries and Expenses of the Queen's Bench, Common Pleas, and Exchequer Divisions of the High Court of Justice, as are not charged on the Consolidated Fund."

Motion made, and Question proposed, "That the Chairman report Progress, and ask leave to sit again."—(*Mr. Rylands.*)

Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

MUNICIPAL CORPORATIONS, &C. (FUNDS) BILL.

On Motion of Sir SYDNEY WATERLOW, Bill to amend the Law relating to the application of Funds of Municipal Corporations and other Governing Bodies in certain cases, *ordered* to be brought in by Sir SYDNEY WATERLOW, Mr. MUNDELLA, Mr. MORLEY, Mr. LEEMAN, and Mr. DIXON.

Bill *presented,* and read the first time. [Bill 101.]

LOCAL GOVERNMENT PROVISIONAL ORDERS BILL.

On Motion of Mr. SALT, Bill to confirm certain Provisional Orders of the Local Government Board relating to the Borough of Arundel, the District of Bacup, the Rural Sanitary District of the Caistor Union, the City of Carlisle, the District of Milton next Sittingbourne, the Borough of Northampton, and the District of Toxteth Park, *ordered* to be brought in by Mr. SALT and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 102.]

IRISH CHURCH ACT (1869) AMENDMENT BILL.

On Motion of Mr. PARNELL, Bill to amend the Irish Church Act of 1869 by extending to Lessees and Tenants holding under the Irish Church Temporalities Commissioners the right of purchasing the fee simple of their holdings, subject to the conditions allowed by section seven of the Act of the thirty-fifth and thirty-sixth years of Victoria, chapter ninety, to purchasers of Tithe Rent-charge, *ordered* to be brought in by Mr. PARNELL and Mr. FAY.

Bill *presented*, and read the first time. [Bill 103.]

House adjourned at One o'clock,
till Monday next.

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HOUSE OF LORDS,

Monday, 13*th March*, 1876.

MINUTES.]—PUBLIC BILLS—*First Reading*—Telegraphs (Money) * (29).

Committee—Report—Epping Forest * (24).

Third Reading—Marriages (St. James, Buxton) * (22); Drainage and Improvement of Land (Ireland) Provisional Orders * (21).

HELIGOLAND.

ADDRESS FOR PAPERS.

THE EARL OF ROSEBERY rose to move an Address for Papers relating to the government of Heligoland. The noble Earl said, he had no intention of entering into a detailed statement on the subject of those Papers; but he thought a word or two of explanation due to their Lordships when a Member of the House was moving for documents of so remote a date and relating to so small a dependency. He presumed that the knowledge which most of their Lordships had of Heligoland did not go much beyond the facts that a gambling-table existed there some few years ago, and that in combination with this moral peril, the island had been supposed to be in physical danger from rabbits. But it was not because Heligoland happened to be the smallest of Her Majesty's dependencies we should be justified in disregarding the rights of its inhabitants. It formerly belonged to the King of Denmark as Duke of Schleswig-Holstein—a potentate with whom we were then at war; but in 1807 it was ceded to Great Britain by capitulation, and was taken possession of by Admiral Russell, who was then commanding the English fleet in those seas. It was said that the terms of that capitulation guaranteed to the inhabitants all their ancient rights and liberties which they had enjoyed under their former constitution. What those ancient rights and liberties were was one of the points on which he was now seeking for information. He believed, however, it was an established fact that every householder of Heligoland had a right to be summoned to a Council before any taxation could be imposed, and that every householder could on demand have the Communal Council of the island summoned. Such appeared to be the position of the inhabitants when they came under the sway of Great Britain. Well, after the Treaty of Capitulation the next document of importance as bearing on their rights and liberties appeared to be the Order in Council of the 7th of January, 1864, by which a Legislative Council was created. The Council was to be composed of 12 persons summoned by Royal Warrant; but when questions of taxation were involved, 12 burghers to be elected by the householders were to be added to the Council. As far as he was aware, there was no serious objection to that constitution; but, if there was, that rather afforded a reason for the production of Papers giving information on the point; and, with the view of obtaining that information, he asked for a copy of the Order in Council dated the 7th of January, 1864. If a statement issued by the Governor two years after the constitution was conferred by that Order and two years before it was abolished was correct, the constitution was working most admirably, because from the Governor's statement it appeared that while the inhabitants had not paid the taxes imposed on them, the debt of the island had actually been reduced by the large sum of £760. He did not know whether that result was entirely owing to the constitution of 1864; but it seemed to him that a country in which no taxes were paid, while the national debt was at the same time reduced, must be a most desirable one. In this respect he was perfectly certain that this country would suffer by a comparison with Heligoland. In that state of paradise were the Heligolanders when the Duke of Buckingham, Colonial Secretary of the day, appeared in full uniform on a man-of-war, landed on the island, and in the most Cromwellian manner abolished the constitution. This might be regarded as a small matter; but the people of Heligoland were as much entitled to respect for their rights and liberties as were the inhabitants of Cromarty or Rutlandshire. Attention had been called to the matter by the German press, and that in a manner by no means complimentary to England. Pointing to Heligoland, it drew attention to the difference between our professions and our practice. It stated that while we had preached the granting of constitutions all over the face of the earth, here was the case of our abolishing in the most summary manner the constitution of one of our own dependencies. He did not say that the Government of the day was not justified in adopting that high-handed proceeding; but, at least, the question was one on which we wanted information. Indeed, he ventured to think that a thing of the kind should not be done without information such as he now asked for being afforded to Parliament, and he, therefore, begged to move for the Papers he had mentioned in the course of his few observations.

Moved, That an humble Address be presented to Her Majesty for, Copies of (1) the capitulation of September 1807 by which Heligoland was ceded to Great Britain; (2) the Order in Council of 7th January 1864 relating to the government of Heligoland; and (3) Papers explaining the revocation of that Order in 1868.—(*The Earl of Rosebery.*)

THE EARL OF CARNARVON said, he did not complain of his noble Friend (the Earl of Rosebery) having brought forward this question. Heligoland was certainly one of the smallest colonies or possessions of the Crown, but it by no means followed that it did not deserve the attention of Parliament, or that its inhabitants were not entitled to the consideration due to all Her Majesty's subjects. As regarded the Papers, he was afraid he could not produce all his noble Friend asked for. There was no objection to the production of the Order in Council of the 7th of January, 1864. He owned that it was with regret he should refuse the Capitulation of 1807, because it was a historic document: but, on the other hand, it was a Paper drawn up in a time of war, when there was a great deal of animosity on both sides, and when conditions were asked on the one side and were refused or granted on the other. The Heligolanders were a sensitive race, and a result of laying the Capitulation on the Table of that House would probably be to revive bad feelings which had long been dormant or had ceased to exist. It would be very undesirable to disturb the good feelings which at present existed between the dependency and this country. His noble Friend had given as a reason for desiring the production of the Capitulation that he understood there was one clause in it which confirmed to the inhabitants all their ancient rights and liberties of the island. Now, he could state that the Capitulation contained no such clause. For a nearly similar reason to that which induced him to object to produce the Capitulation he objected to produce the Papers explaining the revocation of the Order in Council of 1864. It would revive wranglings which, happily, were now things of the past, the island being now in a state of contentment and satisfaction. Though the Capitulation was in 1807, the island was only ceded to Great Britain in 1815 by the Treaty of Vienna. By the constitution giving to Heligoland the island had a Legislative Council of six, who were to call in six more under certain circumstances. The connection in those days between Denmark and the island was much closer than it was afterwards, and the system of government to which he had alluded was not long in operation before its evil effects became manifest. It was impossible to recover debts or to enforce legal processes on the island, and gambling tables were set up there, which became a great public scandal. In addition to these evils, great difficulties arose in regard to wrecking and to salvage cases; so—that Heligoland acquired a not very favourable reputation. In 1863 a correspondence passed on the subject, and in 1864 the change was made to which his noble Friend referred. It was a change in the direction of an increase of self-government. The Legislative Council was doubled, and an extension of the franchise, so to speak, was granted. That experiment failed also; and at last his noble Friend the Duke of Buckingham appeared and effected that change in the constitution of the island to which his noble Friend had made humorous allusion, but which, he was bound to say, had been attended with the happiest possible results. There was a Lieutenant Governor, who had the assistance of a Council, and an English officer called the Receiver of Wrecks. The abuses had not only been abated, but had come to an end: the gambling tables had been swept away; there was a good salvage system in operation, a telegraph and ship-signal station had been established, and the debt of the colony had undergone a more material reduction than that which had been mentioned by his noble Friend as having been brought about when the island had a constitution. It was true that the system of government now existing was in the nature of that of a Crown colony; but the Secretary of State was responsible for it, and he could assure his noble Friend that the island was now in a much more prosperous and contented state than it was at the time when it was in what his noble Friend, in rather glowing terms, had described as a state of paradise.

Lord BLACHFORD, in corroboration of the statements of the noble Lord (Lord Carnarvon), referred to a case in which it had been found impossible to give effect to a judgment obtained by an underwriter against some Heligoland wreckers. An attempt had been made to remedy this state of things by the grant of a comparatively free constitution. This having failed, he believed that the present form of government was more suited to the circumstances of the island. The case was not one to be judged of by ordinary rules.

The Earl of KIMBERLEY suggested that the noble Earl the Secretary for the Colonies might, perhaps, produce a selection from all the documents referred to by the noble Earl. Heligoland was a very small colony, but the inhabitants were of European race, and this fact lent special interest to the subject.

The Earl of CARNARVON said, he would look through the Papers with the view of acting on the suggestion.

The Earl of ROSEBERY agreed to change the terms of his Motion in order to enable the noble Earl the Secretary for the Colonies to carry out the suggestion.

Motion amended, and *agreed to.*

Resolved that an humble Address be presented to Her Majesty for Copies of the Order in Council of 7th January, 1864, relating to the Government of Heligoland, and Papers explaining the revocation of that Order in 1868.

IRON-CLADS.

MOTION FOR RETURNS.

Lord DUNSANY rose to call attention to the present constitution of the Iron-clad Fleet, and the expediency of sacrificing speed in some of our future iron-clads to the attainment of greater powers of attack and resistance, greater handiness in manœuvring, greater stability, less draught of water, and cheaper construction: he wished also to ask Her Majesty's Ministers whether, in view of the probability of this country being compelled to adopt such a type of ships by the example of other Powers, the question of suitable dock accommodation had been or would be considered: and, lastly, he would move for a Return of the draught of water of each first-class iron-clad, noting in each case whether such ship could or could not pass through the Suez Canal when complete in coal, provisions, stores, and armament. As regarded iron-clads, he believed that beyond all question the English Navy was stronger than the navy of any single foreign Power. Whether it was stronger than any two other navies might be a matter of doubt. That it was not stronger than any three other navies united against us, he was perfectly certain; but was it necessary that we should make it stronger than any three other navies, or it was very improbable that any three Powers would unite to attack a country not ambitious or aggressive, and whose interests were not opposed to those of mankind? Formerly there had been a continuous rivalry between this country and France for the command of the seas; and the French had devoted so much attention to rivalling us on the ocean that they had not taken sufficient care to look to themselves on land, and hence the result of the war which had terminated in a manner so happily for us and the rest of the world. The French commenced the iron-clad system by building *La Gloire,* speedily followed by other iron-clads. In order to recover our supremacy at sea, which had thus been lost for a time, we made use of the resources of private yards as well as of those of the Royal Dockyards. To attain a high rate of speed we had sacrificed breadth; but then it became necessary to take into account the rivalry between the constructors of armour-plates to resist guns and the constructors of guns to penetrate armour-plates. He did not know how the contest at present stood as between the two. We were constructing 80-ton guns, which threw shot weighing upwards of half a-ton; but he was informed that the Italian Government had given an order to Sir William Armstrong for guns weighing 100 tons, and he had heard that the same Government were having plates constructed which would be 22 inches thick. It was manifest that to use armour capable of resisting such guns as were likely to be used we must have broader ships. We had the example of the *Captain* before us, and he was by no means certain that some of our present ships were not overweighted. A young relative of his, who had been first lieutenant on board the *Agincourt*, told him that some years ago, while she was practising a system of evolutions off Gibraltar, under the influence of an Atlantic swell, she lurched over in such a manner that those on board were in doubt as to whether she would ever rise again. There were several accidents, in the shape of broken legs and other personal injuries. He supposed that in this case the *Agincourt* had all but reached her vanishing point of stability—had she lurched the fraction of a degree more, she would have gone over entirely. It was not easy to calculate the extreme effect of a heavy sea upon an armoured ship; but the point was one which ought to be seriously considered. He had no doubt that other nations would take to building iron-clads of a much wider construction than were in use at present; though, perhaps, they would not generally follow the example of Russia, which had gone to the extreme in that direction of building a ship as broad as she was long, or, in other words, making her circular. If other nations built broader ships we must follow; and he thought it would be well even to sacrifice some speed to greater handiness—greater quickness in evolutions. It must be remembered that artillery had now become the third weapon of destruction only in naval warfare, and the quality of handiness in manœuvring became of special value. In the only instances of ramming warfare—at the battle of Lissa, Admiral Tegethoff, with by no means a finer fleet than the Italian fleet of 11 iron-clads, sent the *Ré d'Italia* to the bottom with the ram of a wooden line-of-battle ship; and Admiral Farragut, with a wooden frigate, gave a very good account of the Confederate armoured ships. Another advantage of broader ships would be a smaller draught of water. Supposing a squadron of a small draught had passed through the Suez Canal, how many of our iron-clads could possibly do the same in pursuit? That was a point of great importance. Again, in the event of our being called upon to defend Belgium, how could a naval force most efficiently assist in that enterprize? He imagined that Antwerp was the strongest military position in Belgium; and to keep open communication with Antwerp by sea would be most important. Our heavy and somewhat unmanageable iron-clads would not be very suitable for that purpose. Smaller ships of less draught, but carrying equally heavy guns, would be better adapted to ascend the Scheldt and effect that object. Moreover, broader ships of lighter draught would cost less to build. Our present iron-clads cost, roughly estimated, from £250,000 to £500,000 sterling. That was, as it were, putting a great many eggs into one basket; and the same amount of money would pay for several ships of a different construction. It might be said that England, as the richest country, was interested in building the more expensive ships; and it was true that only a rich country could afford the luxury of very large iron-clads; but, looking to the conditions of modern warfare, there might be doubts as to the policy of building them. He should have mentioned that, in regard to the manageableness of ships what applied to ramming also applied to the use of torpedoes — the handiest ship would most probably have the advantage. By building ships of a different type they would unquestionably lose in speed; and it might be said that the fleet which had the greatest speed could either compel or avoid an engagement, and that the traditions of our Navy led us to believe that if we could only bring on an engagement we might trust to the fortune of war for the result. On the other hand, naval battles were often fought by mutual consent. At Trafalgar the enemy awaited the attack, and there was no question of speed. In the only great naval battle of modern times the same was the case. At the Nile the ships fought at anchor, and the element of speed did not come in. It might be urged that that was a technical matter for the consideration of naval men only; but the responsibility of deciding upon it, after taking the best professional advice he could obtain, ultimately rested upon the shoulders of the First Lord of the Admiralty. He believed the last two re-constructions of our Navy occurred under the responsibility of the noble Lord near him (Lord Hampton) and the noble Duke opposite (the Duke of Somerset). The future construction of the Navy admitted of three alternatives. They might go on as at present, still increasing the size of their iron-clads; or they might hold their hands until they saw their way clearer; or, again, they might build broader ships. He only hoped they would continue building that exceedingly useful and not expensive class of ships — gunboats. He could hardly conceive of a war in which gunboats would not be serviceable, and they would certainly give great experience to both officers and men. If they ceased building very large ships at present they might, he thought, do something in the way of torpedoes. He might here remark that he had seen it mentioned the other day that a French officer had arrived on a mission to this country to inquire into our torpedo system. He entirely agreed in the view that it was necessary for England to have the strongest Navy in the world — a Navy at least capable of coping with any two others. But whatever was done with reference to the structure of our ships, it must be borne in mind that success must depend upon those who had the management of them. Our officers would doubtless do their duty in the future as they had done it in the past, and so also would our sailors, on one condition — namely, if they had the advantage of early training and were under good discipline. In view of the fearful, or at all events very destructive actions of the next war, when few ships which were engaged would probably come back safe to harbour, it was almost impossible to over-rate the importance of training and discipline.

Moved that there be laid before this House, Return of the draught of water of each first-class ironclad, noting in each case whether such ship could or could not pass through the Suez Canal when complete in coal, provisions, stores, and armament.—(*The Lord Dunsany.*)

The Duke of SOMERSET wished, before any Minister answered the question, to say one or two words upon the subject. Their Lordships were quite aware that for the last 16 or 17 years we had been discussing what should be the type of the ships of war we should build in future. No sooner had one type been fixed upon than it was superseded in favour of another — in some cases, it was superseded before the vessels were off the stocks. He agreed with his noble and gallant Friend who had just spoken that whatever type of vessel was adopted, a small vessel carrying one heavy gun would always be useful, and it was desirable to increase that class of vessel. In the course of last autumn their Lordships might have seen the very able letters of Mr. Reed, the late Constructor of the Navy, who had recently been travelling in Russia. Mr. Reed gave a very interesting account of the construction and performances of the Russian circular iron-clads. As to the particular vessel which Mr. Reed described, he (the Duke of Somerset) thought it would be unsafe on the Atlantic; and a great objection had been raised against it—that it exposed too large a surface, and that if it attempted to approach a hostile fort there would be no difficulty in landing shells on her deck. When at Malta he asked a naval officer what he would do if he had to contend with one of those ships. He replied that he would go full speed, fire his guns, and in the confusion of the smoke run right over her. The probability, no doubt, was, that one of our iron-clads running into a vessel of this kind would sink her at once. He did not agree with his noble and gallant Friend that they ought to reduce the speed of their ships with the view of carrying more powerful batteries, and making them more handy. Speed was one of the primary conditions of naval warfare; and if they reduced it they would both sacrifice the use of the ram and diminish its force. The naval constructors who were now working for the Admiralty had an opportunity of hearing the best opinions from scientific men and from officers who had been to sea in iron-clads; and, therefore, the course which those naval constructors would recommend would be better than any advice which their Lordships might offer to Her Majesty's Ministers. It would be better to increase the number of small vessels carrying one or two heavy guns than to add to the number of our larger iron-clads, with the view of coping with all nations of the world. That course would add strength to their Navy, while the Admiralty was considering what type of iron-clad they should in future build.

LORD ELPHINSTONE said, that in 1865 two ships were built—the *Agincourt* and the *Northumberland* — which were the longest men-of-war ever built; they carried 12-ton guns, and had four masts. They were 59 feet wide and 400 feet long; but they were not handy ships to manœuvre, from their extreme length, and would fall an easy prey if engaged in hostilities with a well-handled ship. The size of the artillery carried on board ship was increasing rapidly, and it was necessary to increase the thickness of the armour-plate. In 1868 the *Hercules* was built. She was the same breadth as the *Agincourt*, but only 325 feet long, plated with 9 inches of armour. The *Audacious*, built in 1869, plated with 8 inches of armour and only 280 feet long —a very interesting account of her passage through the Suez Canal would be found in the Parliamentary Paper, Egypt No. 2. Three ships were now on the stocks. One was the *Inflexible*. She had two circular revolving turrets, in each of which she carried two 81-ton guns. She was 320 feet long, 75 feet in breadth of beam, and had 24 inch armour-plating. The other two, the *Ajax* and *Agamemnon*, were only 280 feet long, with 66 feet beam, so that the changes made had been in reducing the length and increasing the width of beam. These ships were all designed to attain a speed of 14 knots, which in most cases was exceeded, but in the case of the three last named ships building the contract speed was 13 knots only, and the object in reducing speed was to obtain some of the advantages that had been mentioned—namely, greater power of attack and resistance, owing to heavier guns and thicker armour. A 12-ton gun had greater powers of attack than a 10-ton gun, and 24 inch armour-plate had a greater resisting power than 5½ inches, and greater handiness of manœuvring; as, owing to decrease in length and increase in beam, ships could be turned more rapidly, which was of much more importance than it was 10 years age. Whether ships were used offensively, as a ram, or defensively, as against a ram, facility of manœuvring was of vital importance. All ships recently built drew less water than those previously built, and were designed with the view to their going through the Suez Canal. He was afraid he could not hold out any prospect of cheapness in construction, because the increased thickness of the plates was equal in cost to any saving that resulted under other heads. With reference to dock accommodation, the largest we had at present was that at Portsmouth, the width of which, between the piers at the entrance, was 82 feet; but new docks were in the course of construction at Devonport and at Haulbowline in Ireland and would be 94 feet between the piers at the entrance. Beyond that it was not possible to go, on account of the enormous pressure on the gatés or caisson, and because the caisson would be too large and unwieldy; the caisson alone would cost £20,000. The great expense of making a dock was due to its depth, for in a deep dock the resisting power of the floor had to be very great to overcome the upward pressure of the land water, and if the future class of ships of war was of too great beam to enter the present docks it would be far cheaper to build new docks than to increase the width of the present docks. For as the beam of a ship was increased the length and depth would be decreased; a dock would therefore not be required so deep to accommodate a vessel of that type as for a vessel of the present construction; and it had been calculated that the cost of construction of two separate docks, one to hold the *Inflexible*, the other to hold the Russian circular ship *Popoffka*, would together cost less than one dock capable of holding either. He must decline to give a Return of the ships of the Royal Navy able to pass through the Suez Canal, as there was annually laid on the Table of the House of Commons a Return or statement of all the ships building, their length, beam, draught of water, and every information which, by a little calculation, would show which would and which would not pass through the Canal. The statement that a French naval officer was over here to make himself master of our torpedo construction and manufacture was a pure fabrication. He did not think that it was desirable to follow the example of Russia in the construction of circular iron-clads. The number of gunboats or small vessels which were being constructed at present was 16. He believed that he had answered all the

Questions that had been put to him by the noble Lords who had taken part in the debate.

THE EARL OF LAUDERDALE thought that if any other country had a better vessel than we had we should build one like her without delay. The worst of it was that before our vessels were launched they appeared to be out of date. More speed could be got out of a long than out of a short ship, which required more powerful engines and consumed more coals than the former; but then they were too unwieldy for fighting. It was a question whether we ought to build rams to go into action without any guns at all, or whether the gun should be placed in the ram itself. Rams appeared to be very dangerous to each other, and the question was whether we ought not to build vessels with a movable ram—a ram that could be carried inboard, and not shipped in its place till it was likely to be required for use. In the merchant service the commander of a vessel that ran down another was placed upon his trial, and it must appear strange to civilians that the rule was reversed in the Navy, and that the man whose ship was run down was placed on his trial while the commander of the running-down ship got off scot free.

On Question, *resolved* in the *negative*.

House adjourned at Seven o'clock,
till To-morrow, a quarter
before Five o'clock.

* * *

HOUSE OF COMMONS,

Monday, 13*th March*, 1876.

MINUTES.] — SELECT COMMITTEE — Halifax (Vicar's Rate), *appointed.*

RESOLUTION IN COMMITTEE—Manchester Post Office [Expenses] *.

SUPPLY—*considered in Committee*—NAVY ESTIMATES—*Resolutions* [March 10] *reported.*

PUBLIC BILLS — *Ordered* — *First Reading*— Coroners (Dublin) * [104]; Poolbeg Lighthouse * [105].

Second Reading—Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) * [99].

Committee—Manchester Post Office (*re-comm.*) * [72]—R.P.

Committee—Report—Burgesses (Scotland) * [48].

ARMY VETERINARY SURGEONS.
QUESTION.

MR. STACPOOLE asked the Secretary of State for War, If he would explain to the House why the principal Veterinary Surgeon to the Army is permitted to hold office for an indefinite period, when the heads of all other branches of the service are periodically changed; and under what warrant he does so?

MR. GATHORNE HARDY, in reply, said, there was no Warrant relating to the holding of his office by the principal Army veterinary surgeon, and there was no regulation fixing the period during which he should hold the office. Whether it would be prudent to make a change, and put him on the same footing as the Medical Director General of the Army, was a question well worthy of consideration.

GAME LAWS (SCOTLAND) BILL—LEGISLATION.—QUESTION.

MR. KINNAIRD asked the Secretary of State for the Home Department, Whether, having regard to the very general feeling of the House as manifested on the occasion of the late debate and division on the Game Laws (Scotland) Bill, the Government will bring in a Bill to effect a settlement of the question?

MR. ASSHETON CROSS, in reply, said, that it was not the intention of the Government to introduce any Bill on the subject. The House had assented to the second reading of the Bill brought in by the hon. Member for Linlithgow (Mr. M'Lagan), and that Bill now stood for discussion in Committee on some distant day. If the hon. Member would put himself in communication with the Government, some satisfactory solution of the question might perhaps be arrived at.

THE ROYAL NAVAL COLLEGE, GREENWICH—EXAMINATIONS.—QUESTION.

MR. KAVANAGH asked the First Lord of the Admiralty, Whether it is true that in the examinations held at the Royal Naval College, Greenwich, in December last, eight out of eleven Sub-Lieutenants were plucked, and that since six out of the eight had been dismissed the service; whether those young officers had not all served for eight years or thereabouts; and, whether there was any other cause for the dismissal of the six than that they had failed to obtain the requisite number of marks laid down in the rules?

MR. HUNT, in reply, said, that the facts stated in the Question of the hon. Gentleman were correct, with this addition—that the six who were dismissed were dismissed in accordance with the rules of the Service, after failing twice in their examination.

NAVY—SCREW PROPELLERS.

QUESTION.

CAPTAIN PIM asked the First Lord of the Admiralty, If the trials made on board H.M.S. "Bruizer," with a casing round the screw propellers for the prevention of fouling and excessive vibration, have proved satisfactory; and, if he will have any objection to lay the official Report upon the Table of the House?

MR. HUNT, in reply, said, the trials referred to in the Question of the hon. and gallant Member were satisfactory as far as they had gone. Papers on the subject would be placed on the Table in due course

INTEMPERANCE (IRELAND).

QUESTION.

MR. SULLIVAN asked the Chief Secretary for Ireland, If his attention has been called to the language used by the Right Hon. Mr. Justice Fitzgerald, in his charge to the Grand Jury of the county Kerry, as to the alarming increase of drunkenness as revealed on the calendar, to which cause he attributed nineteen-twentieths of the whole crime on Irish calendars; whether Mr. Baron Dowse, at the Westmeath Assizes, made a like complaint, declaring that, whether by Permissive Bill, Sunday closing, or other means, something should be done to arrest such a spreading source of crime; whether Lord Chief Justice Whiteside, at County Meath Assizes, and Mr. Justice Keogh, at County Tyrone, have not raised like complaints; and, whether the Grand Juries of Clare, Limerick, Tipperary, Westmeath, Sligo, Meath, and Leitrim counties have not petitioned for some legislation on the subject?

SIR MICHAEL HICKS-BEACH: Sir, I have no official information on this subject, but have noticed the reports in the newspapers of the Charges of the learned Judges referred to, and have no reason to suppose that the remarks attributed by the hon. Member to Mr. Justice Fitzgerald and Mr. Justice Keogh are not correct. I find, however, that although Baron Dowse said that "something should be tried" to stop this evil, he expressed himself as "completely powerless to suggest" what the remedy should be, and "could not say whether Sunday closing or Permissive Bills would be of any use;" and that Lord Chief Justice Whiteside, after alluding to the increase of drunkenness, said, with reference to the more serious crimes, "that he differed *in toto* from those who attributed to intemperance most of the crime of the country." I am not aware that any Petitions for legislation on the subject from the Grand Juries named have reached the Government.

POST OFFICE — SAVINGS BANK DEPARTMENT—SITE.—QUESTION.

MR. REDMOND asked the Postmaster General, If he has succeeded in obtaining a site for the erection of a building for the Savings Bank Department of the Post Office in the Metropolis?

LORD JOHN MANNERS, in reply, said, he had not yet succeeded in finding a site for the erection of a building referred to. The question was under consideration.

CRIMINAL LAW—BUXTON REFORMATORY.—QUESTION.

MR. BURT asked the Secretary of State for the Home Department, If he has received a communication complaining of the employment by Mr. Le Casse, of Haydon, Norfolk, of juvenile criminals belonging to the Buxton Reformatory, in a case in which Mr. Le Casse's labourers were on strike resisting a reduction of wages and an increase in their hours of labour; and, whether such employment of criminals supported from the rates is according to Law?

MR. ASSHETON CROSS: My attention, Sir, has been called to the matter, and I have communicated upon it with the managers of the school. I think it right to say that in all cases these boys should only be employed where it is quite clear that the kind of labour would not interfere with the honest labour of others. The general rule and understanding has been that where a dispute arises in regard to wages the reformatory boys are not to be employed. I entirely disapprove of the use made of them on this occasion, and I have so informed the managers, requesting them to take care that the boys shall not be used in a similar manner in future.

METROPOLIS—THE VICTORIA EMBANKMENT.—QUESTION.

Colonel BERESFORD asked the Chairman of the Metropolitan Board of Works, Whether it rests with that Board, as having the management of the Victoria Embankment, to remove the hoarding which has so long obstructed the eastern end of the Embankment at Blackfriars Bridge; and, if so, when the public may expect its removal?

Sir JAMES HOGG, in reply, said, the ground enclosed by the hoarding near Blackfriars Bridge was the property of the Corporation of London, as the purchaser from the Gaslight and Coke Company. Large claims had been made on the Metropolitan Board by the Gas Company and the District Railway Company in respect of the works of the Thames Embankment. The Board was endeavouring to arrange for a settlement of these claims, and it would, no doubt, form part of any settlement that the hoarding should be removed and the thoroughfare widened.

ROYAL STYLE AND TITLES—THE NATIVE PRINCES OF INDIA.

QUESTION.

Mr. ERNEST NOEL asked the First Lord of the Treasury, Whether he will lay upon the Table of the House any Papers or Despatches from the Governor General or any other authority in India, stating that it is the wish either of the Princes or of the people of India that Her Majesty should make any addition to the Royal Style and Titles?

Mr. DISRAELI: Mr. Speaker, it is the duty of the Government to furnish the House with all the information in their power on any subject of public interest, such as the hon. Gentleman's Question refers to, provided it can be done with due regard to the public good. I have conferred with my noble Friend the Secretary of State for India upon the point dealt with in the Question of the hon. Gentleman, and we are of opinion that these despatches or Papers, such as the hon. Gentleman asks for could not be produced. We are of opinion that it is not expedient to produce them, and for this reason, they involve political considerations with reference to the particular title contemplated by Her Majesty—considerations which we have scrupulously refrained from introducing, and I trust that these debates may be closed without their being introduced. For these reasons, I am unable to comply with the request of the hon. Gentleman, and hope he will not press for the Papers.

Mr. ERNEST NOEL: As the House is not to be furnished with any more information on the subject, I beg to give Notice that on Thursday next, in going into Committee on the Royal Titles Bill, I will move—

> "That seeing there is no literal translation into the Indian languages of the title of Empress, and that Her Majesty's new title in the Indian Empire cannot therefore be rendered as the highest dignity, whatever may be the English addition made to the Royal title, it is the opinion of this House that it would be inexpedient for the First Minister of the Crown to recommend Her most gracious Majesty to adopt a title so novel and so unpopular with her British subjects as that of Empress."

POST OFFICE—THE MAILS TO THE HEBRIDES.—QUESTION.

Mr. FRASER-MACKINTOSH asked the Postmaster General, Whether his attention has been called to the serious defects in the carriage of the Mails from the main land to and also within the Inner and Outer Hebrides; and, what steps he proposes taking to remove the grievance complained of?

Lord JOHN MANNERS, in reply, said, his attention had been called to the subject, and he had now under his consideration the best mode of improving the postal communication with the Hebrides.

MERCANTILE MARINE—WRECK OF THE "ROYAL ADELAIDE."—QUESTION.

Captain DIGBY asked the Secretary to the Board of Trade, If it is the intention of Her Majesty's Government to take any steps to remove the wreck of the "Royal Adelaide," which is doing great damage at the present time to the fishing interest in the neighbourhood of the Island of Portland?

Sir **CHARLES ADDERLEY**: I regret to reply to the hon. Member for Dorsetshire that the Government have no funds at their disposal for the removal of wrecks in such localities. The Admiralty have, however, in the case of the *Royal Adelaide*, offered to place at the disposal of the parties interested half-a-ton of powder for the purpose of dispersing what remains of the wreck; but I have no information whether those interested or responsible are likely to avail themselves of the offer.

INDIA—UNCOVENANTED CIVIL SERVICE.—QUESTION.

Mr. **DALRYMPLE** asked the Under Secretary of State for India, Whether the question of the leave rules of the Uncovenanted Civil Servants in India has yet been decided; and, whether instructions have been issued by the Secretary of State for India which will put an end to the suspense which has for a considerable time existed on the subject?

Lord **GEORGE HAMILTON**, in reply, said, that the question referred to had been decided, and that a few weeks ago a despatch was sent by the Secretary of State to the Government of India which would enable them to issue instructions that would put an end to the suspense complained of.

NAVY—H.M.S. "VANGUARD"—PAPERS. QUESTION.

Captain **PIM** asked the First Lord of the Admiralty, Whether he has any objection to append the following particulars to the Papers, ordered on Thursday the 9th instant, relative to the loss of the "Vanguard," namely:—The ascertained dimensions of chasm which the stem of H.M.S. "Iron Duke" made in the side of H.M.S. "Vanguard" off the Wicklow coast last autumn; also similar dimensions, &c., rent by the prow or spur of H.M.S. "Hercules" in the side of H.M.S. "Northumberland" off Madeira, Christmas 1872; and, further, with the view to elucidate the water-tight arrangements, structural, and typical difference of construction, that the same be accompanied with shaded and perspective midship sectional plans of both the "Vanguard" and "Northumberland" class of ships, illustrating the "wing-passage bulkhead," its purposes and uses, and such other descriptive details as published at pp. 284-5, chap. 12, of the late Chief Constructor's Text Book on "Our Iron-clad Navy?"

Mr. **HUNT**, in reply, said, he had no objection to add to the Papers ordered on the 9th instant, those mentioned in the Question of the hon. and gallant Gentleman, and some other Papers bearing on the question, if the hon. and gallant Gentleman would move for their production.

EGYPTIAN FINANCE—MR. CAVE'S REPORT.—QUESTION.

Mr. **J. W. BARCLAY** asked the First Lord of the Treasury, Whether Her Majesty's Government have received Mr. Cave's Report on the finances of the Khedive of Egypt; and if it is to be made public?

Mr. **DISRAELI**, in reply, said, that he had not yet seen the Report, which, he understood, had only been delivered to the Foreign Office that afternoon. Perhaps the hon. Member would on a future day repeat the Question.

ARMY—HOME DISTRICT COMMAND. QUESTION.

Mr. **ANDERSON** asked the Secretary of State for War, If the command of the home district is a staff appointment subject to the five years' rule, and if there is any reason why that rule has been set aside in the case of the officer now holding the command, whose appointment dated from April 1870; and, if there is any rule under which this command is restricted to Major-Generals promoted from full pay of the Guards; and, if there are at present only two unemployed officers falling within that category, affording a very limited field of selection?

Mr. **GATHORNE HARDY**, in reply, said, the command of the Home District was an appointment under the five years' rule, but that rule was not absolutely imperative. The reason for exception in this case had been in consequence of changes that were going on in respect of the command of depôt stations, and for the re-organization of the military police. The officer now holding the command would retire in a short time. Although the selection had to be made from a limited number, an officer very eminently qualified for the post had been nominated as his successor. It had been customary to choose from full pay of the Guards, because that brigade was under the home command.

EQUITY COURTS (IRELAND) — LORD JUSTICE CHRISTIAN.—QUESTION.

Mr. CALLAN asked the First Lord of the Treasury, If his attention has been called to the statements in a letter which appeared in "The Times" newspaper of Monday March 6, under the heading of "Lord Justice Christian and the Irish Equity Courts," and signed "J. Christian," charging Her Majesty's Government with having revived the Second Court of Landed Estates in Ireland "against their better judgment," and with being parties to ostracising from promotion "one of the ablest of living Judges," because "he had earned the hatred of a priesthood which is a power in politics over a class which are the enemies of England;" and asked is there any truth whatever in either of these grave charges; and, if not, are Her Majesty's Government prepared to take steps to prevent the advancing of grave charges by individuals holding judicial positions in that Country?

Mr. DISRAELI: It is not very easy for me to reply to the inquiry of the hon. Gentleman, as it involves three separate questions, and, besides three separate questions, two charges; but I will endeavour, as far as I can, to meet his wishes. He desires to know whether I have seen a letter in *The Times* newspaper of March 6, signed "J. Christian," containing the two charges to which he refers. I am sorry to say I was not able to see that letter, but I will assume that it has appeared as he says, and I will try to meet those two charges. The first charge is that Her Majesty's Government have "revived the Second Court of Landed Estates in Ireland against their better judgment." Upon that I will remark that the Government revived the Second Court of Landed Estates in Ireland, because there was a strong expression of opinion in this House in favour of that revival, and from hon. Members of the House who on that subject spoke with authority. One of them, for example, was the hon. and learned Gentleman who occupied the position of Attorney General in the late Government, and another the hon. Member for Cork, who certainly on such matters addressed the House with considerable influence. Both of those hon. Gentlemen spoke in favour of the revival, and it is, I believe, the fact that nearly the whole body of solicitors in Ireland memorialized the Government in favour of it. I cannot therefore, agree with the gentleman who wrote the letter that the revival was against our "better judgment," but rather, I should say, in consequence of that better judgment. The next charge which is made by the letter-writer is one with which it is more difficult to deal, because the mode of expression is extremely obscure. It speaks of the Government as "being parties to ostracising from promotion one of the ablest of living Judges, because he has earned the hatred of a priesthood which is a power in politics over a class which are the enemies of England." The language of the letter, I have been told since I entered the House—for unfortunately I have not been able to obtain it—is of such a character that the imputations which it conveys seem to be directed against various Governments. Confining my answer to the present Government, I can only say that, so far from ostracising any Judges, we have made legal appointments which have, I believe, met with general approbation. Dismissing these two charges, I come to the next question, "whether there is any truth whatever in either of those grave charges;" and after the remarks which I have already made the hon. Gentleman will, I think, not be surprised if I observe that there is no truth whatever in them. Then the hon. Gentleman wants to know, if there be no truth in them, "whether Her Majesty's Government are prepared to take steps to prevent the advancing of grave charges by individuals holding judicial positions in that country." I have only to say on that subject that I think a Government should avoid as much as possible entering into controversy with those who use certain expressions in high judicial positions. I would trust rather to their own sense of propriety on reflection, and to the dignity of the office which they occupy.

THE MUTINY BILL.—QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for War, Whether he is aware that the Mutiny Bill, which stands for second reading, has not been printed?

Mr. GATHORNE HARDY, in reply, said, that he was aware the Bill had not been printed, but it would be printed before the Bill went into Committee. As it only involved details, he proposed to take the second reading nevertheless, in accordance with usage.

Mr. P. A. TAYLOR said, he would give Notice that on the second reading, he should move that the Bill ought to be printed before it passed that stage.

SUPPLY. COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE ADMIRALTY — CIVILIAN FIRST LORDS.

OBSERVATIONS. RESOLUTION.

Mr. BENTINCK, in rising to move—

> "That, in the opinion of this House, the practice of placing at the head of the Admiralty civilians, who from their antecedents cannot be conversant with the business of that Department, is detrimental to the interests of the service,"

said: Sir, the importance of the subject to which I am about to refer must be my apology for asking for the attention of the House. It is not over stating the case, if I say that not only the honour and the welfare, but that the very existence of this country must depend mainly on the efficiency of our Navy. When we consider our insular position, our many and distant colonial possessions, and, still more, when we consider that in time of war this country must depend on our Navy for her supplies of food, it will be admitted that I have not over-stated the importance of the efficiency of our Navy. But, Sir, if the efficiency of our Navy is at all times of the highest importance, it becomes in the present aspect of the affairs of Europe, if possible, more important still. That which is commonly known as the "Eastern Question" may, at any moment, lead to consequences of the gravest kind. We have heard much also lately of the question of the Suez Canal. Well, Sir, without going further into that question, I contend that the country which will control matters with respect to the Suez Canal, will be the country which holds a naval supremacy in the Mediterranean. How do we try to maintain the efficiency of our Navy? A system prevails in the constitution of the Board of Admiralty, under which we attempt to combine responsibility with an utter want of knowledge of all professional details. Now, Sir, in adverting to this system, I beg to be understood that I am not attacking individuals, but that I condemn a system which places men in a false position. I give full credit to the many distinguished civilians, on both sides of the House, who have held the office of First Lord of the Admiralty, for the energy and ability which they have shown, but I contend that a civilian, with no knowledge of naval matters, cannot fill that post, either with advantag to the country, or with credit to himself; and I contend that the combination of responsibility with ignorance must lead to the most disastrous results. It is said that the First Lord is guided by the advice of his Naval Colleagues; but those Colleagues are not responsible, and men devoid of responsibility will often sanction that which they would not endorse under a sense of responsibility. Many events have occurred lately which may be traced to the evil influence of the present system. I will advert to only a few of such cases. Take the case of the *Megæra*. Had there been a sailor at the head of the Admiralty, responsible for the conduct of the business of that Department, I cannot believe that after the report received from the naval authorities at Queenstown, that vessel would have been sent to sea on a long voyage in the condition in which she was, and the consequence of which was the loss of the ship, and a narrow escape from the loss of many lives. A sailor would have understood that the vessel was not in a condition to be be sent to sea with safety, and he would not have sanctioned a piece of paltry economy, which could be the only motive for not substituting another vessel for the service which had to be performed. Take the more recent case of the *Vanguard*. Again, I cannot believe that a sailor, solely responsible for the conduct of the business of the Admiralty, would have sanctioned the practice of sending to sea a fleet of heavy iron-clads, to cruise in narrow waters, under-manned, and with scratch crews, a practice to which the loss of the *Vanguard* must be chiefly attributed. I would remark also, that had a sailor been at the head of the Admiralty, I doubt whether the Admiralty Minute on the *Vanguard* Court-martial would ever have appeared. All these incidents show that the political and not the naval element is in the ascendant at the Admiralty. I will only further advert to the practice of supplying Her Majesty's ships with chain cables insufficient for the weight of the ships, if the old scale of the cables for tonnage is to be relied on. This practice is another specimen of mistaken economy, which would not be sanctioned by a sailor responsible for the safety of Her Majesty's ships. All these cases show, with hundreds more which I could quote, how civilian mismanagement is destructive of the efficiency of our Navy. There is no precedent for the practice of selecting a man who can have no knowledge of its business, to preside over a great Department of the Government. Such a practice would be scouted as an absurdity in any other Department, and in any business, naval or other, conducted by private enterprize. Would any man in his senses embark his capital in an undertaking if he knew that its management was to be confided to a man who had no previous knowledge of the business to be conducted? I will take the case of my right hon. Friend the First Lord of the Admiralty. He is a man highly educated, of great ability, and of high moral character. Well, Sir, it would create some surprise if we were told some morning that my right hon. Friend had been made Archbishop of Canterbury. And yet I contend that my right hon. Friend could fulfil the duties of an Archbishop, with more advantage to the Church, and with more credit to himself, than he possibly can perform the duties of First Lord of the Admiralty. It has been said that Parliament must have control over the Admiralty, and therefore that the head of the Admiralty must be in Parliament. Why, Sir, so long as the money for the Admiralty depends on the Vote of the House of Commons, that control must always exist. What is wanted is a Naval Secretary in the House of Commons, who without interfering with the business of the Admiralty, would bring forward the Estimates, and state the condition and requirements of the Navy. Moreover, I should prefer to see the Estimates presented to the House in print rather than in a long speech, which is susceptible of misconstruction. It has further been urged by the opponents of my views that naval men are apt to be prejudiced. Sir, I would ask whether civilians have been always found exempt from that weakness, and if it were so with naval men, I would ask whether total ignorance is not of the two the greater drawback to the discharge of complicated duties? It has been also urged that as a rule naval men are not to be found equal to the position. I believe this to be a libel upon the higher ranks of the Navy. Nothing conduces more than a sea life to give a man habits of thought and general knowledge, and I believe that a Cabinet might easily be formed from the higher ranks of the Navy which would contrast favourably with any Cabinet of civilians. I have by me a list of the First Lords of the Admiralty, for nearly a century, which shows that in almost all the most important periods of our history naval men have been at the head of the Admiralty, and that civilians have been chiefly resorted to in time of peace. Another drawback to the present state of things is the recurrence of a change of system in the Admiralty, with every change of Government. But, Sir, I should wish to quote one, and only one opinion upon the question to which my Motion refers, but it is an opinion, the weight of which must be admitted by the House. I will read to the House what Sir George Cockburn, who was for 17 years First Naval Lord of the Admiralty, says upon the subject. Sir George Cockburn, in a pamphlet devoted to this question, writes—

> "I have no hesitation in stating that I consider the present establishment of the Board of Admiralty to be the most unsatisfactory and least efficient for its purpose that could have been devised."

Again, Sir George Cockburn writes—

> "Secondly, as regards the proceedings of the Board, when united for general business, I must

premise that nothing can well be more contrary to reason, and, I may say, to common sense, than for a person to be selected to preside at such professional Board, who is totally unable, and admits his inability to understand three-fourths of the professional statements, or even expressions, contained in the various documents read on such occasions to the Board, and which therefore the professional members of the Board, become obliged to occupy time in explaining, and endeavouring to make him comprehend, which nevertheless cannot be always sufficiently effected."

Sir, I could quote much more that Sir George Cockburn has written to the same effect, but I have shown the opinion of the highest authority extant on the subject involved in my Motion. This is no Party question. Both sides are interested in the efficiency of the Navy, but the post of First Lord is too good a prize in the political lottery to be readily abandoned, and the efficiency of the Navy is sacrificed to the cupidity of professional politicians. Sir, the importance of the efficiency of our Navy cannot be over estimated. That efficiency is impaired by the present system. My Motion involves an assertion which cannot be contradicted, and I ask the House not to sanction the continuance of a system, which has lowered the efficiency of the Navy, which is in itself a practical absurdity, and the disastrous consequences of which are constantly forced upon the attention of the country. The hon. Gentleman concluded by moving the Resolution.

MR. MONK, in rising to second the Motion, said that, as a considerable portion of his hon. Friend's remarks did not reach that side of the House, he trusted he should be forgiven if he should inadvertently travel over any portion of the ground which had been gone over by his hon. Friend. A Motion affecting the constitution of the Board of Admiralty was one of great moment, and was surrounded by many difficulties; while, at the same time, it was one of such vital importance to the Navy, that, as a civilian, he should have shrunk from offering any opinion if he did not think it necessary that the views which he held, and which were certainly entertained largely out-of-doors, though they might not meet with a responsive echo in that House, should be fairly and fully stated. He agreed with his hon. Friend that the practice which had been so long pursued was detrimental to the public service, and he wished to know why a different principle should be adopted in appointing the First Lord of the Admiralty from that which was followed in the appointment of the heads of other Departments. When the Woolsack was vacant did they take a non-professional man, however able, and place him at the head of the law? On the contrary, they looked for one of the most distinguished lawyers at the Bar and made him Lord Chancellor. When a vacancy occurred at Lambeth did the Government recommend any one to fill the See of Canterbury but an eminent divine, distinguished for his learning and his piety? Yet when appointing a First Lord of the Admiralty, instead of seeking for a man of great naval experience, they selected a civilian, who had had no special training, and whose previous official life had been spent at the Board of Trade, at the Treasury, or at the Home Office. How was he to gain his naval experience? It could not be acquired by mere summer cruises, or visits to Dockyards, or consultations with his Naval Advisers; but even when the First Lord began to acquire some knowledge of his Department, he was either transferred to some other office or lost his post by the incoming of a new Government, and another civilian took his place who was equally inexperienced. The witnesses examined before the Duke of Somerset's Committee were unanimously of opinion that the present constitution of the Board of Admiralty was unsatisfactory; and Mr. Vernon Lushington expressed his opinion that it was a great advantage that the First Lord should be a professional man. The position of the First Lord was most exceptional. His power was paramount, and he was wholly irresponsible. True, he was responsible to Her Majesty and to Parliament, but everyone knew what that responsibility meant. Practically he was irresponsible, unless it were to public opinion, and even against that he might be upheld by the Parliamentary majority of his Party. He had three Naval Advisers, indeed, but it was not obligatory on him to take their advice. The recent reversal of a portion of the finding of the Court-martial on the loss of the *Vanguard* was far from satisfactory to the Service, and certainly caused a great deal of surprise among all classes of the country. He believed that all the naval officers who had spoken in the debate on the subject had found fault with the mode in which the First Lord had dealt with the finding of the Court-martial. Was it right that a civilian should set up his opinion against that of distinguished officers such as those who sat on that Court-martial? No doubt, on such an occasion, the First Lord would consult the Naval Advisers of his Board; but were they as competent to form an opinion as those who sat on the Court-martial and heard all the evidence? He would go further, and say, that in his opinion a civilian was not the best judge of what was due to the personal and professional honour of officers of the Navy. In the case of the Army, a distinguished military officer was at the head of it, and he did not see any reason why a distinguished naval officer should not be placed at the head of the Navy. For these reasons, he had great pleasure in seconding the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the practice of placing at the head of the Admiralty civilians, who from their antecedents cannot be conversant with the business of that Department, is detrimental to the interests of the service,"—(*Mr. Bentinck,*)

—instead thereof.

Mr. DISRAELI: Sir, several Motions of a similar character have been brought forward before by the hon. Member for West Norfolk, and now he calls upon the House to declare—

> "That the practice of placing at the head of the Admiralty civilians, who from their antecedents cannot be conversant with the business of that Department, is detrimental to the interests of the Service."

Now, when a Motion is brought forward of this character, and when we are called upon to declare what the Motion asserts it is exceedingly desirable that the House should, before they decide, obtain, as far as they can, an accurate idea of what the business of that Department is which the civilian First Lord of the Admiralty is called on to perform. Now, at the Admiralty there is a programme of duties apportioned to the different Members of the Board, and among them there is what is called a table of duties to be performed by the First Lord. I will read that table to the House. In that table the following duties are allotted to the First Lord:—First, he has the general direction and supervision of the Department; second, he has to attend to all political questions; third, to promotions; fourth, to honours; fifth, to civil appointments; sixth, to the conservancy of the River Mersey; and, seventh, to appointments to naval commands. Now the House will at once see that, so far as that table of duties is concerned, the civilian First Lord of the Admiralty is called upon to fulfil no duties which an experienced statesman ought not to be perfectly prepared to perform. As, however, the business has increased and time advanced, that table of duties, though still in record at the Admiralty, is not a sufficiently complete and full one of those which the civilian First Lord of the Admiralty is called on to perform; and I think we may add to it the following duties:—He is directly responsible to Parliament for the expenditure of £10,000,000 or £12,000,000 of the public money. In him is centred all naval, political, and civil questions generally. He is responsible for the disposition of the Fleets abroad, and for all political complications where the Navy is concerned. He is answerable for the entire Dockyard management, involving the employment of from 15,000 to 20,000 men, and for seeing that the money voted annually is economically and properly administered. The financial policy of the Board is under his exclusive control. In addition to these duties, all new works, questions of pay—naval and civilian—training ships, Reserves, stores, and numerous other matters are directly under his management. I think the original table of duties, with those which I have now enumerated, will give the House a complete account of the duties which have to be performed by a civilian First Lord, and I ask the House to consider whether there is anything in the items which I have mentioned which a man who has been long in either House of Parliament, whose life has been devoted to the study of public questions, and who is not only by courtesy, but in reality entitled to be styled a statesman—I ask whether there are any of those duties which such a man is not able adequately to discharge? Well, there are other duties unquestionably which have to be performed at the Admiralty. There are the purely naval questions, such as the construction and building of ships, their armour, guns, and the innumerable technicalities attaching to naval architecture and naval warfare. Besides these there are the appointments to naval commands, and the delicate and important question of promotions. These are questions for the settlement of which it may truly be said that a civilian competent to form an opinion on public affairs—a man, generally speaking, of great ability and considerable political experience—might not be found inadequate. On these points, however, the First Lord is not asked to take the initiative, but, being advised by the Naval Members of the Board, he sifts the pros and cons, and decides as he deems best for the Service. Although he certainly possesses a supreme command—and without that the administration of such a Board would soon be anarchy—yet, practically, the decision of professional questions is left to the Naval Lords. It is, therefore, I think, advisable that in considering this question the House should have a clear, though a general, idea of the duties which the civilian First Lord of the Admiralty, whose employment is said to be detrimental to the interests of the nation, is called on to perform. The gist of the argument of the hon. Member for West Norfolk is, that in the office of First Lord there is a combination of responsibilities, or rather, I think he said a knowledge combined with ignorance of the subject, which comes to pretty much the same thing. I have heard the hon. Member speak upon this subject before, and not only once. I remember that nearly 20 years ago he seconded Sir Charles Napier, who brought forward a Motion on the unsatisfactory state of the Navy; and it is only justice to him to say that from the first he has been thoroughly consistent in his views upon this matter. The object of Sir Charles Napier was to prove that the Navy was going to ruin, and that that lamentable state of affairs was to be attributed to the fact that the Chief of the Admiralty was a civilian. Unfortunately, it came out on that discussion, as I well remember, that Sir Charles Napier had solicited a post of Lord at the Admiralty from the civilian Chief of the then existing Board; and though that fact might in some degree affect the arguments of the gallant Admiral, it did not affect that of the hon. Member for East Norfolk, who seconded him, and who now adheres to the position he has always taken. His two objections to the present system are that it is attended by too frequent changes, and that there is too much of a jobbing propensity in such a Board of Administration. With regard to changes which occur in the Board of Admiralty, which is a Parliamentary Board, we must remember that if you are to have a strictly professional Board, the tendency to change would rather be increased. Generally speaking, the Board of Admiralty is disturbed now only on the occurrence of a change in the Ministry; but if you are to have exclusively Naval Members it would be altered, not by change of Ministry but by change of service, because its members naturally look to the preferments to which they have a right to succeed. With regard to the jobbing propensities of the Board, I would recall what was said by Sir Sidney Dacres in his evidence before a Committee in 1871.

> "Admiral Sir Sidney Dacres was asked by the Duke of Somerset, 'Is the recent Order in Council which prevents Admirals employed on the Board of Admiralty from counting their services at the Admiralty as sea time calculated to interfere with the future efficiency of the Board of Admiralty?' He replied, 'No, I do not think so. I think that the fact of officers remaining long at the Admiralty destroys their usefulness as sea officers.'"

If that is a sound opinion—the authority is great, and it seems to have been accepted by the Committee—it destroys the argument of the hon. Member based on the objection that the present arrangement leads to constant changes. As to the jobbing propensities of these Parliamentary Boards, I would cite the opinion of Sir James Graham, Sir John Barrow, Sir Charles Wood, and, still later, Admiral Lord John Hay, who agree in substance that civilians are much less likely to be prejudiced in making appointments than naval officers would be. I will read the opinion of Lord John Hay, which is the most recent one, and many of us know him, for he was long a Member of this House. He said—

> "I think that with reference to the question of promotion and patronage, and all that, it is absolutely necessary it should not be in the

> hands of naval men; not that they are not as honest and conscientious as everybody else is, but simply because their views with regard to promotion and patronage all run in grooves: they are too much influenced (although insensibly) by people whom they have known upon particular stations, and by their followers. I think that they are not so well fitted for dispensing the patronage as a statesman and a civilian."

These remarks apply appositely to the two great objections which are always urged against the present system by the hon. Gentleman. His chief argument is that there is a combination of responsibility and ignorance, and the consequence of that is the occurrence of naval disasters; and he adduces two cases in proof, one of which is that of the *Megæra.* I put it to any hon. Gentleman on the other side who heard that case as stated by the hon. Gentleman, whether it had really anything to do with the question of the Chief of our Naval Administration being a professional man or a civilian. If it means anything, it means, so far as the case goes, that there was false economy at work, and that, I imagine, may occur with a naval Chief as well as a civilian Chief, for economy depends upon a greater power than any Board of Admiralty. Then the hon. Member brought forward the case of the *Vanguard*, and he considered that all the accidents that led to the disastrous loss of that vessel were due to a civilian being at the head of the Admiralty. If he had said it had resulted from a civilian being at the head of the Squadron I could have understood the argument, and I think it probable that things would have been as well managed as they were by the professional officers. I really think the two instances brought forward are not such as ought to lead us to adopt his Resolution. The hon. Member rested his arguments mainly upon the authority of Sir George Cockburn, whom I remember in this House; he was a most gallant officer and a man of stern and severe character, and I acknowledge the weight of his authority. I believe that during his 17 years' naval administration he had pretty well his own way, and therefore he was hardly the witness I should have thought would have been brought forward against the present system, because it was very well known—certainly while Lord Melbourne was First Lord of the Treasury—Sir George Cockburn exercised a preponderant power, and the generally satisfactory state of the British Fleet during that period was attributed by the country mainly to the character and influence of Sir George Cockburn. In the latter part of his life he became, as we are all accustomed to become, too critical; when he was no longer in office he probably thought affairs were not managed as well as they were during his 17 years' tenure of office, and he left a legacy to his countrymen, from which the hon. Member has quoted profusely this evening. The Duke of Somerset has been quoted more than once. He is a member of the Liberal Party; he is a statesman who is much respected on both sides of the House. He is a man whose capacity is always at the service of the country, and at this moment he is engaged upon business of grave importance. He was, although a civilian, a most able First Lord of the Admiralty for six years. He was examined before a Select Committee of the House of Commons in 1861, and in his examination by the Chairman these questions and answers occur—

> "I wish to know whether your Grace thinks that any difference would arise if the First Lord were a professional man, instead of, as hitherto has been the case, a civilian?—I think there would be some advantages and some disadvantages from that. The first question is, whether the First Lord of the Admiralty is to be a Minister or not. I do not think that, with a Representative Government in the country, you could go on without having the First Lord of the Admiralty a Cabinet Minister. I consider that that would be found to be necessary: and if you are to have the First Lord a Cabinet Minister, it will not often happen that no officer will be found in the Navy in that position in Parliament to be made a Cabinet Minister. That is the first difficulty that I see in what the hon. Member seems to point at—namely, having the First Lord essentially a naval man.
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> "Has your Grace formed any opinion as to any advantage which might be derived by such a change as having a naval person for the First Lord?—I think it an impossible condition. If Parliament is to manage and control the Navy affairs, and the Admiralty is to be represented in Parliament, I think it would be an impossible condition to make it essential to have a naval man at the head. I observe that even in France, where they have not that same necessity, they do not put a naval man at the head of the Admiralty. At the present moment they have a civilian; and in years back there have been more civilians than naval men as Ministers of Marine in France.
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> "I think I rightly understood your Grace's opinion as expressed on a former day, turning to a different subject, to be rather against than in favour of an idea which prevails in some

quarters, that the First Lord of the Admiralty ought to be a naval officer?—I do not think that there is any reason against a naval officer if the naval officer is in a position to be First Lord of the Admiralty. But, as far as we know from history, naval officers have not been very successful First Lords; and it has had this effect—it has not tended so much to bring naval knowledge to the Admiralty, but it has tended to carry politics into the Navy, and if we were to refer to past times, we should see that when naval officers were at the head of the Admiralty, there was a question of even whether an officer of opposite politics could safely take the command of a fleet. Therefore, it will be seen that Naval First Lords were not successful in administering the affairs of the Navy. I think if I were to go through the periods of Lord Keppel, Lord Howe, or Lord St. Vincent, they are not successful examples of Naval First Lords of the Admiralty, and they are the last examples that we have had."

There has been one since the Committee—the Duke of Northumberland—but his period of Administration was brief. Then we have the evidence of Sir James Graham, a Member of the Liberal Party, who is also recognized by both sides of the House, I believe, as a successful First Lord of the Admiralty. He was supposed to combine great efficiency in the Service with admirable financial reforms. He was four years at the Admiralty, and, as we all know, was one of the most experienced men who have ever taken part in public affairs. On this subject—I do not know whether it was before the same Committee, but it was, at all events, before a very modern Committee—he was asked—

"May I ask your view with reference to the opinion held by a great number of individuals as to the office of First Lord being held by a naval officer?—At my present age, and in my present state, I am a dispassionate spectator. I have no interest whatever in that question personally, but I have some experience, and I am strongly of opinion that while our Government is Parliamentary, it is greatly in favour both of the Service and of the State that a civilian should be at the head of the Board of Admiralty.

"Would you hold that opinion as strongly if the office was entirely divested of any political bearing?—Under our Parliamentary Government, I cannot conceive it to be divested of political bearing. Next to the Army, and almost equal to the Army, the expenditure of the Navy is the largest branch of the annual outlay of the State submitted to Parliament in annual Estimates; and my strong opinion is that the House of Commons, being now the great centre of power (I wish to speak respectfully of the House of Peers, and should be very sorry that Peers were held disqualified from being First Lords of the Admiralty), on the whole, it is desirable that the First Lord should be a Member of the House of Commons, and a man who, by Parliamentary experience and Parliamentary training, has fitted himself for high office, or is supposed to be fitted for high office."

Mr. Austin Bruce, a Member of the Committee, who now sits in the other House as Lord Aberdare, then addressed Sir James Graham—

"You have expressed a decided opinion in favour of a civilian First Lord, rather than a professional First Lord. Does that objection to a professional First Lord arise from the difficulty of obtaining a man of adequate Parliamentary weight and capacity, and of securing for him a seat in the House of Commons?—No, it rests on more general grounds. Certainly, as the question conveys, there is a great difficulty in finding a naval officer, however eminent in his own profession, consistently with Parliamentary government, capable of performing adequately the political functions; and, looking at the matter historically, I see that all the most successful naval administrations have been the administrations of civilians, and, speaking generally, the most unfortunate and the worst have been those of Naval First Lords.

"The Administration of Lord Chatham was perhaps the most successful Administration in English history. You recollect that Lord Anson was his First Lord of the Admiralty?—Yes.

"Was Lord Anson's administration a failure?—I cannot answer particularly with respect to Lord Anson's administration; but, coming a little nearer, I have strong historical evidence of the greatest evils arising from a Naval First Lord, and his professional prejudices. I would illustrate it by the case of Lord Keppel in 1782. There is this remarkable fact, that Lord Keppel had serious quarrels and misunderstandings with Lord Rodney; and Lord Keppel, being First Lord, recalled Lord Rodney from the command in the West Indies in a manner the most summary and the least considerate that can well be imagined. The historical statement will be found in the seventh volume of Lord Mahon's History. It so happened that the order for his recall from the West Indies crossed the despatch bearing Lord Rodney's account of his great victory of the 12th of April, and it was by mere accident that Lord Rodney was not recalled on the eve of the battle of the 12th of April."

I do not know whether the House will bear any further recollections of this kind, but it is important that we should decide this question by the authority of the most eminent men we have produced. In the evidence of Sir James Graham we have the opinions of an able statesman, entirely free from passion or interest. He was asked further—

"Besides Lord Keppel and Lord Anson, who have been mentioned, there have been the administrations of Lord Howe and Lord St. Vincent. What is your opinion of the administration of Lord St. Vincent as First Lord?—I regard Lord St. Vincent as one of the greatest of our naval heroes, and, on his own element, almost unrivalled in history. I have read the debates when Lord St. Vincent was First Lord of the Admiralty, in which Mr. Pitt, after the Peace of Amiens, discussing the naval preparations and the defences generally of this country, made a Motion for inquiry, which Mr. Fox supported; and I find that by almost universal consent at that time Lord St. Vincent's naval administration at the Admiralty was condemned, he being certainly, on his own element, one of the greatest of naval commanders."

Thus, when Lord St. Vincent was First Lord, Mr. Pitt and Mr. Fox agreed—in what? In condemning the administration of the Navy by a naval officer. The evidence continues—

"Then the popular motion that Lord St. Vincent's administration laid the foundation, to a great extent, for the triumphs of Lord Nelson, you conceive to be fallacious?—I should certainly say it was not Lord St. Vincent's naval administration that led to Lord Nelson's triumphs in 1805. Lord St. Vincent was not then at the Board of Admiralty, though it does so happen that a naval officer was at the head of the Board of Admiralty, a man of very inferior naval reputation to Lord St. Vincent—I mean Lord Barham. Lord Brougham, who was a young man then, and may be said to have been a contemporary of Lord St. Vincent, states 'that Lord St. Vincent and Lord Eldon were the only two eminent statesmen in the Administration of Mr. Addington;' and he adds that 'while he was First Lord of the Admiralty he laid the foundation of a system of economical administration, which has since been extended from the Navy to all Departments of the State.' I need not ask you whether you share the opinion of Lord Brougham as to the efficiency of Lord St. Vincent's administration?—No; I do not share Lord Brougham's opinion in the smallest degree upon that point. Is there not a great deal in the career of an eminent naval officer which naturally prepares him to take a useful political part in the Cabinet? Being much employed in negotiation, and large discretionary powers being constantly vested in him, he must necessarily acquire a familiarity with great political questions. Would not all those points be of great importance in preparing him, in addition to the professional and administrative knowledge which he must necessarily have, to play an important part in the Government of the country?—If you find that happy combination, I would certainly say it would be so; but I do not admit that the professional training and habits of the most distinguished officers lead to that combination. They have great opportunities, at any rate, of exercising their judgment in matters of great political importance?—I do not think they have the opportunity of exercising much judgment from their being instruments acting under orders that have been issued; but, with regard to negotiations, they constantly exercise a wide discretion. It is a great characteristic of the profession that they are subject to rigid command, and that their obedience is implicit. They are the very best instruments of Government which can be found, but their habits are obedience and reliance on authority."

I have now laid before the House the evidence of Sir James Graham—reports of this kind are only too easily forgotten, though they should be of perennial interest—and I think it is not difficult to trace his character in all his observations. Coming to the evidence of the late Lord Northbrook, then Sir Francis Baring, on this subject, I find he says very properly that he should be sorry to see the Crown limited in its choice, and I think all of us must agree with him in that. I am not at all to be understood as contending that a naval officer should not be made First Lord of the Admiralty if he has the necessary qualities for the office. As the matter at present stands, the Crown has the power of appointing either a naval officer or a civilian. Sir Francis Baring says—

"The difficulty with regard to appointing a naval man is the selection of a fit person; looking at the age of those who are high in the naval service, and the importance of having a person responsible to Parliament in whom Parliament has confidence, I think there is a great difficulty in selecting a naval man; but I am not at all prepared to say that a naval man may not be found who would make a very good First Lord, and, if so, I do not know that there are not some advantages in having a naval man; as to whether a naval man would make a good First Lord, I cannot give an opinion; but I remember the opinion of a much better judge than I am—namely, Lord St. Vincent. Lord St. Vincent was himself First Lord of the Admiralty, and there is in Mr. Tucker's work a letter published of Lord St. Vincent's, in which he announces to Lord Keith his appointment of First Lord of the Admiralty. He first announces to Lord Keith that he is appointed; he then says—'How I shall succeed remains to be proved; I have known many a good Admiral make a wretched First Lord of the Admiralty.' That is Lord St. Vincent's opinion; and when you look back upon the names of naval men who were First Lords of the Admiralty, it is remarkable. There were Lord Howe, Lord Keppel, Lord Hawke, Lord Anson, and Sir Charles Saunders. I think those must have been the naval Lords from the beginning of the reign of George III., whom he must have alluded to."

Again, Sir Charles Wood, now Viscount Halifax, who was First Lord for three years, being asked whether he considered that the First Lord had better be a civilian than a naval man, said—

"My opinion is that, upon the whole, without excluding a naval man, it is better that he should be a civilian. He must be a Member of the Cabinet; and the choice, of course, of men of business is greater among the whole class of civilians than among the limited class of naval officers; and I think that, upon the whole, he is more likely to exercise an impartial judgment, so far as relates to the question to which I understand you refer—namely, the promotion and appointment of officers."

Now I have read to the House the evidence of three distinguished civilians who were First Lords — Sir James Graham, Lord Northbrook, and Viscount Halifax. I cannot venture to go at any length into the evidence which I have before me from the Naval First Lord, or, rather, the Naval Lord of the Admiralty. There is, however, one piece of evidence by Sir Maurice Berkeley which I must read. He says—

> "I am quite aware that civilians who have filled the office of First Lord of the Admiralty are men who are trained to Parliamentary practice, and are always Cabinet Ministers, as they ought to be; and if you could find me an Admiral who, as well as being at the head of his profession, and being a man who is looked up to by the profession, has great administrative powers, and who is in the Cabinet, I should prefer him; but unless you can combine all those qualities in an Admiral I do not think it desirable for him to be First Lord."

That is the opinion of a distinguished officer. I should now like to read the opinion of a man who was Under Secretary and Secretary to the Admiralty for 40 years; a man of unrivalled experience, the late Sir John Barrow, who recorded his opinion in the *Life of Lord Howe*. He says—

> "Naval officers in general would naturally enough ask, Who is the description of person most likely and best qualified to do justice to those who have had the labouring oar in fighting the battles of the country, in the issue of which is involved all that we hold dear? And the answer would naturally be, 'a Naval First Lord;' and yet they will find that on taking a retrospect many bitter complaints have been made from their own corps against a purely naval administration, on the score of partiality. How, indeed, can it be expected that a professional man should be able to divest himself of prejudice in favour of those individuals with whom he has associated, sometimes almost exclusively for years, in a confined and uninterrupted intercourse? How can it be expected he should cast aside the best feelings of human nature and disregard those early and ancient friendships from the moment he takes his seat at the head of the Admiralty Board—that he should turn aside from these companions of his early days, who gained laurels by his side, who shared with him his dangers 'of the battle and the breeze,' and participated in his pleasures? Such are the officers, whether most fit or not, who will expect to share, and who will share, largely in a Naval Lord's patronage. Besides, the education of a seaman is not exactly such as is suited to fill an important place in the Ministerial Cabinet. The time that is taken up in acquiring that degree of professional skill and eminence of character which could alone justify the appointment to such a situation almost precludes the acquisition of that general knowledge, and of those broad and comprehensive views inseparable from the character of a great statesman. Take the list of admirals as it now stands, and let any one ask himself how many flag-officers there are upon it whom he conceives the Minister would deem qualified to fill the office of First Lord of the Admiralty? Then, if distinguished success against the enemy be allowed to furnish a criterion of good management as it regards good ships and good officers, it will be found that the proudest triumphs, the most brilliant victories, have been achieved by fleets and squadrons prepared and distributed under the direction and management of landsmen as First Lords. Thus the battle of Rodney with Don Juan de Langara, and his splendid victory of the 12th of April, 1782; the defeat of the French fleet on the 1st of June, 1794; the victories of Cape St. Vincent and of Camperdown in 1797; of the Nile in 1798; the battle of Copenhagen in 1801; and the total defeat of the combined fleets of France and Spain before Trafalgar, were all obtained by fleets prepared and commanded by officers appointed by First Lords who were landsmen. Though Lord St. Vincent actually sat at the Board when the battle of Copenhagen was fought, the preparations were made under Lord Spencer's superintendence. It was also a Naval Lord who presided on the 12th of April, 1782, yet the arrangements and disposition were actually made by his able predecessor, Lord Sandwich. It was on this occasion that Lord North, addressing himself to the new Ministry in the House of Commons, observed—'It is true you have triumphed, but you fought with Philip's troops.' It must be admitted, however, that without the assistance of two or three able, honest, and judicious naval coadjutors no landsman, whatever his talents might be, could attempt to carry on the numerous duties of this important office. On the other hand, a naval First Lord may not always be disposed to seek for such assistance."

That is the opinion of Sir John Barrow, written towards the end of his life, after mature thought and under a due sense of his professional responsibility. I cannot help thinking that this evidence which I have placed before the House will make them hesitate before adopting the Motion of the hon. Gentleman the Member for West Norfolk, which I confess, and I have always admitted, is of a very plausible character. I will not trouble the House with many more extracts; but there is a modern one, from the evidence of Lord John Hay, in 1871, which I wish to read to the House. He is asked if he thought there would be any advantage in the First Lord being a naval man, and he says—

> "Certainly not; I have hardly ever seen a Naval Lord whom I thought fit to be the First Lord of the Admiralty; but I think we sailors should always like to have a statesman of great

> weight and authority and importance in the country, representing us in Parliament; I think that we should go rather to the wall if we had no man of that sort, whereas we at present hold our own very well."

That is the opinion of Lord John Hay. You are asked, and not for the first time, to terminate this system; but I have adduced evidence which must weigh heavily with every impartial mind. The evidence is contributed by statesmen who have been connected with the Liberal Party chiefly—men like Graham, Halifax, and Northbrook, with whom we were proud to mingle in political life. I have also placed before you the testimony of Mr. Secretary Barrow, a man of high consideration, and whose judgment must carry great weight. But beyond all this, look to the practical results of the present system. The hon. Gentleman who brought forward this Motion, I believe, stated that our disasters might be attributed to having civilians at the head of the Administration, and that all our glories, our chief glories, were owing to administrations presided over by professional men. But the contrary is really the fact. From 1782, from the days of Rodney to the Peace —from 1782, that battle when the line was first broken, to the great day of Trafalgar—the whole series of glorious victories were achieved under naval administrations headed by civilians—by Sandwich, Spencer, and Melville. It appears to me we should be taking a rash step if we adopted the Resolution of the hon. Gentleman, and therefore I give it my opposition.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 261; Noes 18: Majority 243.

BRITISH AND FOREIGN IRON-CLAD NAVIES.—OBSERVATIONS.

Mr. E. J. REED, in rising to call attention to the number and condition of our Iron-clad Ships and to the strength of certain Foreign Iron-clad Navies, said, the standard by which they must judge the strength of the Navy was a relative, not an abstract one. No doubt it was somewhat invidious, for political reasons, to be continually referring to the strength or weakness of foreign Navies, and recently Ministers had avoided that. But there was no reason why he, a private Member, should not place before the House the information which he happened to possess about foreign Navies. Our strength in respect of unarmoured ships was of small importance in comparison with our strength in armoured ships, for we could quickly remedy defects in the former, but not in the latter. His present object was not to advocate anything like sudden or extravagant expenditure. Indeed, his object was an economical one, for he did not sympathize with those hon. Gentlemen who always regarded a reduction of expenditure as being synonymous with economy. He was in favour of the true economy which made the normal reasonable and proper expenditure equal to the occasions which might be fairly expected to arise. This had not been the case of late years. We had experience to guide us in this respect. In 1870 war was declared by France against Germany, and Her Majesty's Government did not say the Navy was sufficient, but hastily asked for an additional expenditure of £400,000 on the Navy, and laid down four ships —the *Cyclops*, the *Hecate*, *Gorgon*, and the *Hydra*. Being the designer of those vessels, he did not wish to disparage them; but he might mention that the design was prepared for a colonial Government and for a colonial purpose, and that the ships were not such as the Government of England would have sanctioned if they had not been ordered in the urgency of probable war. It happened that the war was at an end before we got even one of those vessels, and, consequently, that expenditure was useless for its purpose, and had given us four ships which we should not have built for English purposes under more deliberate circumstances. Any one who called attention to the state of the Navy was sure to be accused of creating a panic. Of late years, however, the grounds of the necessity for our expenditure had not been laid before us, and there was a tendency to glide into a purely artificial expenditure. It was, therefore, desirable that an independent Member should occasionally direct attention to our actual position. First of all, he would make a few remarks on iron-clad ships themselves, for some people asked whether it were wise to continue expending money on iron-clad ships, instead of constructing unarmoured rams and unarmoured torpedo vessels. Now, in his opinion, unarmoured rams and torpedoes could not possibly carry out the naval service of the country. Such rams and torpedo vessels could only attack ships, and were unfit for the general purposes of the British Navy. What was the last important duty which the iron-clad fleet of England was called upon to perform? It was the removal from under the guns of Cartagena of the two Spanish iron-clads by Admiral Sir Hastings Yelverton. Those vessels had to be withdrawn from under batteries offering the most favourable position for attacking ships and armed with powerful ordnance. He would ask the House to consider whether an admiral in command of unarmoured torpedo boats could have attempted the operation he had described? The Spanish forts would have been able to destroy any unarmoured ships which had entered the harbour, even though those ships had, in the first place, destroyed the vessels of the insurrectionists—a very improbable event in view of the fact that the harbour was surrounded on all sides by forts armed with heavy guns. He therefore asked the House to consider very carefully before superseding iron-clads in the British Navy by vessels marked by so absolute a degree of inefficiency as was possessed by many of the ships to which reference had been made. For many years past the principal services which the British Navy had been called upon to perform had been executed against land forts and ports and harbours—a kind of service which could not possibly be performed in a satisfactory manner by unarmoured vessels. It was perfectly true that armour-clad ships cost large sums of money, and it could not but startle the country when an event occurred like the sinking of the *Vanguard* by her sister ship in an accidental collision. The loss of that ship was not, however, due to any intrinsic weakness in her construction, but to neglect of an obvious duty on the part of some one to close the compartments between the engine and boiler rooms. The officer who ought instantly to have closed these compartments, instead of doing so, applied himself to other duties, one of which was going on deck and imparting to the captain his conviction that the ship was sinking. The loss of the *Vanguard*, therefore, did not influence his belief that the ships of the Navy must be so armour-plated and so armed as to fit them alike for fighting at sea and acting on the offensive against land forts. There had grown up a habit in some quarters of slighting the importance of England having iron-clad ships in distant parts of the world. It was urged by some persons that, in reference to the matter, regard should be had to European operations only; but this view he held to be based on great and grievous error. For some time past England had had iron-clad flag-ships on the China, North American, and Pacific stations, and he did not think any one would be found bold enough to say that the circumstances of foreign countries were such as to diminish the demand for the presence of British iron-clads in distant waters. He would not refer to the Suez Canal further than to express his opinion that it would be necessary for England to station iron-clads at either end of the Canal in case of either war or the rumour of war in that part of the world. The fact of England purchasing or neglecting to purchase an interest in the undertaking would not, in his view of the case, affect this necessity in the slightest degree. Foreign countries all over the world were building iron-clads at the very time we were urged to cease doing so. Even the Chinese and Japanese Governments were having iron-clad ships built in England and Scotland at the present moment. Vessels of the kind were already possessed by the Brazilian, Chilian, and Peruvian Governments, and the Argentine Republic on the coast of South America; and the United States Government had a considerable number of powerful armour-plated ships for the defence of her coast and ports, which, though not exactly sea-going vessels, could yet make considerable coast passages. In view of the existence of these vessels it would be unreasonable to say that the demand for the use of additional ironclads abroad was likely to diminish rather than increase. He had gone carefully into the question of the amount of money expended during the last 18 years on the Navy, and he found that, although £200,000,000 had been so disbursed, not more than £18,000,000 had been expended in the building and first equipment of iron-clad ships. This statement might be doubted, and he would, therefore, mention, in illustration and furtherance of his view, that of the 16,000 workmen for whom it was proposed to provide in the Estimates for the current year, not more than 3,000 were to be employed upon the construction of iron-clad ships. He could not add anything about another part of our expenditure for the coming year, as there had fallen out of the Estimates for the last year or two a piece of information which was very valuable, and which he hoped they would have in future—namely, the division of contracts between iron-clad ships and unarmoured vessels. He now came to the relative position of this country and other nations with respect to iron-clads. He would throw out of consideration all wooden vessels covered with armour-plates, for this reason—that the greater part of them had been placed by the Admiralty on the list of ships which were not fit for sea-going purposes, and most of the remainder were known to be far gone into decay. He would not exclude all the wooden iron-clads of other countries, although he did the purely wooden ships, because some people believed in wood still. The French, for instance, had recently built wooden iron-clads, and it would be unreasonable to throw out new ships merely because they were wooden—his objection being to ships which were decaying or decayed. There were, as far as he was aware, two classes of vessels of ours which did not exist in any foreign Navy, the first a very curious class — one in which the armour was extended fore and aft all over the gun battery, but fell short at the water line, so that an enemy could riddle them at either end below the water line, and render them useless. Two vessels only of that class were constructed—the *Hector* and the *Valiant*—and these he would also leave out. They were among the earliest of our armoured vessels, but they had that very bad feature, and he did not believe in them, nor did he believe that any Board of Admiralty would send them into line in case of war, except when very hardly pressed. He threw out, also, the *Defence* and *Resistance*. Their batteries were small in proportion to their size. They could not be regarded as fit to work among armoured vessels, and he was not aware that any ship like these was to be found in any foreign Navy. Then, again, he would leave out another class—namely, long ships. They had five vessels of what he might call preternatural length—the *Warrior*, the *Black Prince*, the *Minotaur*, the *Agincourt*, and the *Northumberland*. He could not understand how any one could have made such ships of war, unless, indeed, for chasing purposes—for speed only. He threw them out because he believed they would become an easy prey to a powerful enemy. They were, however, valuable vessels for the purposes he had indicated, and if a part of their armour were removed, which might be easily effected without interfering with their speed, they would be still more valuable. That brought the number down to 12 vessels, and these he considered as extremely powerful vessels, although he had been reproached for including second-class iron-clads in his list. The 12 were the five of the *Audacious* and *Swiftsure* class, and the *Hercules*, *Sultan*, *Bellerophon*, *Monarch*, *Penelope*, *Devastation*, and *Thunderer;* and he would also include the *Alexandra*, *Dreadnought*, and *Shannon*, which would be ready for sea early next year, and this he did to avoid, if possible, all cavil and question in reference to his figures. He would, of course, also take such ships into view in the case of other countries. Well, those 15 ships gave a total displacement tonnage of 113,500 tons, and an aggregate horse power of 91,300. A great deal had been said of their expenditure on iron-clads, and they were often told that they spent so much on the Navy in comparison with other nations, but what was the fact? He found that the grand total of English iron-clad displacement tonnage was 317,000 tons. That was the tonnage of all the iron-clads that had been built in this country from the commencement, while the grand total of the displacement tonnage of all European iron-clads during the same time was 697,500 tons. The first thing, therefore, he wished the House to understand was that this country had not built altogether nearly half as many iron-clads—comparing the displacement tonnage—as had the other European Powers. He had stated the tonnage of what he considered to be our efficient ships for general purposes at sea, and generally for the work of the country. He would now briefly refer to one or two other Powers. Germany had at this moment, including one or two vessels which were nearly completed, eight sea-going iron-clads. The weakest of these were not very strong ships, but they would bear in mind that he had not excluded from his list of English ships any iron-clad on account of mere weakness of armour. He had excluded none except where the armour was not extended over the whole water line. In addition to those vessels Germany had three ships with 10-inch armour and armed with 14½-ton guns. Some authorities said 18-ton guns, but he preferred to state what he knew them to have when he last saw them. One of those ships had 18 of those guns, each of the others had eight, and not one of the German ships was armed with less than 9-ton guns. Two other of the ships had 9-inch armour, and they were armed with 21-ton guns. They had besides a small vessel, which he put down because she had 6-inch armour and at least a 9-ton gun. That was all he would say with reference to Germany. The next he came to was the Turkish Navy, because, curiously enough, Turkey, whatever she might have failed to do, had not failed to provide a goodly array of iron-clads to lie in front of the Imperial Palace on the Bosphorus. He was not aware that they did much else, or were very successful when they tried to do much else; but that was not the fault of the ships, for they were good ships, and would become formidable instruments in the hands of another Power. He had shown what would have happened if we had had to depend upon unarmoured rams and torpedoes at Cartagena. The Eastern Question had undergone great changes, and the House had been told that England had followed in the wake of three Great Powers and had not stood alone. But if he were to vaticinate, he would say that we might be compelled to stand alone, and that if the Eastern Question was to give us our next trouble in the future, the first duty of our Navy might be to lie alongside the Turkish Navy and to take practical possession of it. Could such a duty be performed by unarmoured rams and torpedoes? The Dardanelles and the Bosphorus were strongly defended by batteries, against which unarmoured vessels would stand no chance, and if it ever became the duty of the English Navy to take possession of the Turkish Navy, it could only be done by iron-clads of the most powerful class. This was a list of the Turkish Navy. One ship had 12-inch armour and 15 guns, of which 12 were 18-ton guns. Then came four vessels of an earlier date, with 5½-inch armour, each carrying eight 12-ton guns, and a considerable number of 6½-ton guns. Those vessels were likely to receive a largely increased armament. Then there were two little vessels, one of which he had designed himself, with 9-inch armour and four guns, all of 12 tons; and there was another vessel exactly like her, which Turkey had had the skill to build for herself. Two more vessels he included among sea-going vessels though his hon. Friend the Member for the Tower Hamlets (Mr. Samuda), who had built one of them, might perhaps take exception to his so including them. Had they belonged to the English Navy he should not have done so, but for naval purposes in the East they were very formidable ships, and therefore he did not exclude them. They had 7-inch armour, with four 12-ton guns. There were next some small vessels, each carrying a 12-ton gun; and three of them had been transferred from Egypt to the Sultan, when he objected to the Khedive having armoured ships of his own. Another vessel, which his hon. Friend had also built, had been recently launched, carrying 12-inch armour and four 25-ton guns. Altogether there were 13 ships, and the two most powerful of them were being repeated in this country; but he did not include these in the present calculation, as they were not likely to be completed within the coming year. The total tonnage of the Turkish efficient ships was 66,500 tons, with an indicated horse power of 50,000. He now came to the Navy of France, and here again some of the vessels were weak like the *Penelope* of our own Navy. He was, however, obliged to include such vessels, because they could not be altogether left out of the comparison. The French had very few finished iron vessels of war. They were believers in wood; they had been so from the beginning, and had paid for believing in it. This country also resorted to wood, and paid for doing so. But the French Government, resorting to it much more, had paid for it much more heavily than we had done, and he was quite alive to everything that had been said as to the decay and waste of the French wooden vessels. The oldest of the iron-clads of the French Navy which he considered as efficient was the *Ocean*, launched in

December, 1868, the *Marengo*, and the *Suffren*. They were 7¾-inch armoured and carried eight guns, of which four were guns of 21 tons. France had also two iron ships of a less strength—the *Couronne*, of 5-inch, and the *Heroine*, of 6-inch armour—but both carrying 14-ton guns. She had also the *Friedland*, of 7¾-inch armour, carrying 14-ton guns; the *Triomphante*, *Victorieuse*, and *Lagalissonnière*, of 6-inch armour and 8-ton guns; and the *Richelieu*, *Colbert*, and *Trident*, of 8½-inch armour and 21-ton guns. Some of them were not completed, but they were all likely to be finished during the year. Mr. Martin, in his *Statesman's Year Book*, said—

> "By a Resolution of the National Assembly passed in the Session of 1875 large additions are to be made to the Navy of war, an annual credit of 30,000,000f., or £1,200,000, being set aside for the purpose, to be applied to 50 vessels, the construction of which is either to be finished, continued, or simply commenced within five years. Of these 50 vessels, there are to be seven iron-clads of the first class; five iron-clads of the second class; eight iron-clads for coast defence, of which five are to be of the first class and three of the second class; four gunboats of the first class; nine cruisers; four avisos; eight transports; and four gunboats capable of being taken to pieces. The vessels which have to be finished in 1876 are the following:—The *Colbert* and the *Trident*, iron-clads of the first class; the *Triomphante* and the *Victorieuse*, iron-clads of the second class; the *Tonnerre*, iron-clad for coast defence of the first class; the *Lutin* and the *Lynx*, gunboats of the first class; the *Tourville*, cruiser of the first class; the *Deputit-Thouars*, cruiser of the second class; and the four gunboats which are to be capable of being taken to pieces. The greater number of these vessels are being or will be built in the Government dockyards at Brest, Cherbourg, and Toulon."

The aggregate tonnage of the French efficient sea-going iron-clads was 84,000 tons, with an indicated horse-power of 55,500. He had excluded from the French, as from our own Navy and other Navies, all ships that had been ordered to be completed, but which would not be finished during the coming year. There were other vessels in the course of construction for France, and of these one was of 12-inch armour with 35-ton guns; another, 15-inch and 4 guns of 21 tons; a third of the same character, and four other powerful vessels. One or two of them had not been actually commenced, but he had also included in his English list ships such as the *Ajax* and the *Agamemnon*, in which progress would be made during the coming year. He would go lightly over the remaining Navies. Russia had, or would have at the end of the year, five iron-clad sea-going vessels. The names of these ships were the *Prince Pajarski*, with 4½-inch armour and 9½-ton guns; the *Peter the Great*, with 15-inch armour and 40-ton guns; the *General Admiral*, with 6-inch armour, and 12½-ton guns; the *Duke of Edinburgh*, with 6-inch armour and 12½-ton guns; and the *Minin*, with 7-inch armour, and 12½-ton guns. The *Peter the Great* was not yet finished, and progress in constructing her had been very much delayed by the fact that two ships in succession went to the bottom with armour plates for the *Peter the Great* on board. He was laughed at when he talked of the *Peter the Great;* but he reminded the House that there were two ships of ours which were begun before he left the Admiralty in 1870; and one of which, the *Dreadnought*, was only to be finished next July twelvemonth. We had, in fact, been longer in building the *Dreadnought* and the *Thunderer* than the Russians had been building the *Peter the Great*. The Russian sea-going armour-clad Navy, however, was hardly worth discussing. Exception, indeed, might be taken to including three of their ships as armour-clads at all; but they were all protected at the water line, and came within the class to which he was referring. Besides, as he had said, they were all armed with 12½-ton guns, and would be powerful as cruisers. The iron-clad Navy of Italy consisted of eight ships, four all alike, comprising 37,500 tons, with 30,500 horse-power. Besides these, Italy was building two very powerful ships, but he thought that neither of them would be finished during the present year. As to these ships he wished to say a word. Soon after he left office a powerful Committee was appointed to sit upon the British Navy, consisting of Gentlemen who knew very little about the subject, and not numbering among them a single shipbuilder. It was an unfair Committee, because, though consisting of able men, there were none who were masters of his work; but he was happy to say that this Committee, though probably brought together to ban his ships, really blessed them, and he had no fault to find with their Report. He was requested to go before the Committee, and he was asked by the Chairman, Lord Dufferin, to explain the project of a ship which he had designed to meet the future requirements of the country. He did so, and his successor was afterwards examined to give further information about it. What followed was, he thought, not creditable to our prudence in these matters. This Report was shown to him in Berlin, and it contained the description given by him to the Committee. This was many months before the Report was laid on the Table of the House, and the Department had not the courtesy to show him the Report. But it was, as he had said, shown to him in Berlin, and by the time he had got into Russia, it had become so cheap that he was offered a copy. The point to which he was coming was that the two Italian ships he had mentioned were the consequences of this Report. The Chief Constructor of the Italian Navy and his assistants tried their hands upon carrying out the plan he had described to the Committee, which was intended to give great superiority to the first Power who turned out a vessel upon this model. He thought, however, that the persons who had adopted his plan did not quite understand it; and he was of opinion that these vessels, when completed, could never be sent into action with safety, for if penetrated with shot and shell in their unarmoured part above the armour deck, they would capsize. This should be a caution to persons who undertook the construction of ships without sufficient information. The Italian vessels were the *Venezia*, with 6-inch armour and 18-ton guns; the *Principe Amadeo*, with 9-inch armour and 18-ton guns; the *Palestro*, with 9-inch armour and 18-ton guns; the *Ancona*, the *Regina Maria Pia*, *Castelfidardo*, and the *San Martino*, each with 5-inch armour and 12½-ton guns; and the *Affondatore*, with 5-inch armour and 12-ton guns. The Austrian iron-clad Navy consisted of the *Custozza*, 9¼-inch armour and 21-ton guns; the *Albrecht*, 8¼-inch armour; the *Kaiser*, 6¼-inch armour; the *Lissa*, originally a wooden vessel, with 6¼-inch armour, the *Kaiser Max*, the *Don Juan*, and the *Prince Eugene*, three vessels also originally of wood, but transformed now into iron vessels, with six inches of armour and 12½-ton guns. He had not mentioned Spain, Portugal, Denmark, or any of the Northern Powers, but confined his comparison to the six Powers, France, Germany, Russia, Italy, Turkey, and Austria. The results were these—France had 84,000 tons of these ships, or would have at the end of the year; Germany, 53,000; Italy, 37,500; Russia, 29,000; Turkey, 59,900; Austria, 35,500. The aggregate was 298,900, against 113,500 of English. He had been asked whether he could name any three Powers which, putting their efficient iron-clads together, would be equal to our own. His answer was that a combination of three Powers was not necessary. France and Italy, or France and Russia, or France and Turkey, or France and Austria would have a combined fleet which would come up to ours. He did not mention the combination of Germany with France, because he was asked not to put them together, and the chances were that for some time to come these two Powers would not be united. But there were four combinations of a single Power with France that would be equal to us, and a combination of three Powers would give a force that would exceed ours. As for Turkey, he did not believe in the fighting capabilities of the Turks; but a Turkish Navy existed, and if we allowed it, that Navy might fall into hands that might cause the consequences to be serious. The Turkish fleet was at present in hands that might act wilfully, and if offended with England, steps might be taken which we might have occasion to regret. If any one could show his figures to be seriously wrong by all means let it be done; but he had prepared them with the utmost care, and he had stated as to Foreign Navies every point of their weakness. He believed most firmly that our expenditure upon iron-clad ships was not what it ought to be. There might be room for many opinions as to our aggregate expenditure upon the Navy, but iron-clads we could not produce quickly, and he believed that it was the duty of the House, and even of the greatest economists in it, and for the sake of the economy which they cherished, to insist upon a due and proper expenditure upon our iron-clads in relation to the power of other Navies, so as to secure to us that great strength and that independence which we ought to have when any European complications might happen to arise.

MR. HUNT said, the House was much indebted to the hon. Member for his interesting statement, and he himself derived great gratification from the views which the hon. Gentleman had expressed as to the necessity of keeping up our iron-clad fleet. He was aware, as the hon. Gentleman had reminded the House, that since the recent disaster the opinion was extending that we ought to discontinue the building of iron-clad ships. He did not share that view; for with regard to the disaster there was this to be said, that the ship was not prepared as a ship would be if going into action. If the *Vanguard* had been going into action all her water-tight compartments would have been closed; and, secondly, the blow which she received was struck in that part of the ship where she was likely to receive the greatest injury; and in war we should be very unfortunate if the impact of an enemy's ship would always find out the very spot where the greatest injury would be inflicted. It should be remembered, too, that, notwithstanding the great injury done to the *Vanguard,* she kept afloat for an hour and 20 minutes after she was struck, and therefore the system of water-tight compartments had answered to some extent. But it might not be in the knowledge of the House that very great improvements in the construction of water-tight compartments had been made since the *Vanguard* was built, both as regarded the height of the compartments and the number of them. The *Vanguard* had 23 water-tight compartments; but the *Devastation* had 68, the *Dreadnought* 61, the *Nelson* and *Northampton,* in course of construction, 83, and the *Inflexible,* 89. But it was not only the number of the compartments that was to be considered, but the way in which they were built. The compartments were now not only transverse, but longitudinal fore and aft, and if they had been so constructed in the *Vanguard* when she was struck, one set of engines would have been left untouched by the water, and could have been worked. He agreed with the hon. Member that it would be absurd to think of having our fleet composed of torpedoes and unarmoured rams, or to trust to unarmoured ships against armoured; because an unarmoured vessel in presence of an armoured one would be powerless, and they could not possibly meet upon equal terms. Therefore, whatever the expense, we must build armoured ships, since we might have to meet Navies composed of such vessels. He was anxious io say this, because, as he did not propose to lay down any new iron-clads this year, he might be thought to be taking what the hon. Member had described as a view that was extending in the country—namely, that the further building of iron-clad vessels ought to be discontinued. The fact was, we had a great number of iron-clads in hand, and he thought the proper course would be this year to proceed with unarmoured vessels, not, however, with any intention of relinquishing the building of armoured ships. The hon. Gentleman had gone over the question of the comparative strength of our iron-clad fleet and that of the iron-clad fleets of foreign nations. He (Mr. Hunt) had hitherto avoided discussing in this House that question, because he thought it a matter which would be better considered in his office, in the direction of determining what addition should be made to the strength of our own fleet, than made a subject of debate in the House of Commons. It was a matter of great delicacy for a Minister to criticize the naval force of another Power, though he found no fault with the hon. Gentleman for having done so. A celebrated cynical philosopher had said that we should treat our friends as if they might one day be our enemies, and our enemies as if they might one day be our friends. Well, we might, perhaps, carry our discussion on this subject so far as to convert our friends into enemies, but he doubted if by the same means we could convert enemies into friends. The hon. Gentleman, however, had rather forced this discussion upon him, and therefore he felt bound to take some notice of his remarks. He was not at all aware of the mode in which the hon. Gentleman would treat his subject, and he felt unable to follow him in the line he had chosen. He did not expect to hear the hon. Gentleman discuss the question as a matter of tonnage; if he had expected it he would have been prepared. But he had no Papers before him which would enable him to deal with it as a question of tonnage, though he had gone into it from every point of view. In a remarkable letter, signed with his name, and which all who took an interest in the subject had read, the hon. Gentleman discussed the composition of Her Majesty's iron-clad fleet. On that occasion the hon. Gentleman excluded all ships not yet ready for sea, but this evening he had included those which might be taken to sea in the present year. He (Mr. Hunt) preferred the hon. Gentleman's original classification for the purpose in view to that which he had adopted to-night, and if the hon. Gentleman would confine himself to the ships actually ready for sea, we should stand rather better than he had placed the case before the House. In the classification which the hon. Gentleman had given of those ships he did not agree; and, moreover, the hon. Gentleman had rather underrated the value of the ships which he said he put on one side. There were altogether 27 iron-clad ships, putting aside the two sea-going rams, the *Hotspur* and *Rupert*. He thought it was a mistake to put all our iron-clad ships aside except 12; but if only 12 of our iron-clad fleet were to be taken into account, the hon. Gentleman should have contrasted these with those of similar powers in other fleets. The hon. Gentleman had given them an interesting account of the Navies of other Powers; but he did not think he had dealt with the Navies of other countries quite as hardly as he had done with our own. It was exceedingly difficult to make any comparison as regarded numbers, for three or four different people would divide them in a different way. There would be a difference as regarded the numbers even in our own fleet, and some would reject ships which others would consider effective. And if there was that difference as regarded our own ships, there was far more likely to be such a difference with regard to the fleets of our neighbours. Then there was the difficulty of making a comparison as to their efficiency. We know all the imperfections of our own fleet, but we did not know the imperfections of our neighbours'; therefore, we were more likely to discard ships in our own fleet than in the fleets of other countries. The hon. Gentleman spoke of only 12 ships in our iron-clad fleet as being worthy to be taken into account as fighting ships. He (Mr. Hunt) would take the number at 11, excluding the *Penelope* and the sea-going rams; but what he would point out was this—if we were only to take account of 12 or 11 iron-clads in our fleet as fighting ships, we should apply the same standard to foreign fleets. If they did that, it would be found, he believed, that France, which had the most powerful Navy, had only five ships of that class, Italy four, Germany three, Russia one, and Turkey one. The hon. Gentleman had compared the tonnage of the different fleets, but he confined himself to this one view; and, taking that view, supposing we had only 11 ships for a great naval battle, they could not find, as regarded that class of ships, any combination of two Powers equal to our own, or of three that would be more than equal to our own. He ventured to think there was no ship now fit for service amongst the ships of other nations that was equal to the *Devastation* and the *Thunderer*. The hon. Gentleman told them that in the classification he had given to-day he had reckoned the ships to be completed in the course of the year; but with regard to such ships we were far ahead of other nations. We had now three iron-clads that were launched last year; in the course of the next two months one more ship would be ready, with another to follow; whereas of the ships building in France only one was launched last year, and another would be probably launched in July. So that we were three ships better than France. He had his account of the French Navy drawn up in a different way from that drawn up by the hon. Gentleman. It stated the case thus—Iron-clad ships in commission, 1876, English, 14, of which only one was of wood; French, nine, all wood. Iron-clad ships in First Reserve, 1876, English, 12, all of iron; French, 17, only three of iron. Ships completing for sea, 1876, including those repairing—English, nine, two of wood; French, three, all wood. Of those building, of which three were very nearly ready—English, six, all of iron; French, 13, only one of iron. And with regard to one French ship spoken of as likely to be completed this year, his information was that no work was going on upon her at present. He really hardly liked to go into the particulars of all the different Navies, although he had them all before him. He had endeavoured, however, to show that if we were to take only 12 or 11 as really fighting ships in our iron-clad Navy, as regarded that class of ships we certainly stood in a very fair position. He knew it would be said that a change of position made a great deal of difference in regard to a question of this kind—that two years ago he had made a very different statement, and that now he was inclined to take a more rosy view of matters. He had no wish to revive a controversy which he hoped to a great extent had passed away, but when he made his statement in 1874, he said that only 14 iron-clad ships, with the exception of the *Devastation,* were in an effective state in the proper sense of the word; at the present time, 20 iron-clads were in a thoroughly effective state in every sense of the word. The hon. Gentleman said that of these 20 ships a great many were not fit to be put in front of the battle, but they were effective for every purpose for which they were built—equal to meet any ship of the same character. In the course of two years, therefore, during which he had held his present office, the effective strength of these ships had been increased from 14 up to 20, setting aside the *Devastation* and the *Thunderer*, and notwithstanding the loss of the *Vanguard*, and in the course of August another ship would be ready. He therefore thought he was justified in taking a more favourable view of matters than he did two years ago. In addition to this, the ships laid down by his Predecessors had been very considerably advanced. Three ships could be completed in the course of this year—two certainly, if all went well, and a third next year. In addition to that, a fourth laid down had made considerable progress in the hands of contractors. He was quite aware that other countries were making progress with their iron-clad fleets. It was our duty to watch their progress and see that we did not fall off; but as things stood at present, without venturing to say that we had got a great preponderance over any two fleets of other nations, as far as we could judge, he thought we were in a safe state as regarded our iron-clad fleet. Taking France, which had the most powerful Navy next our own, his comparative estimate of the French and English fleets was drawn up by the most competent persons in his Department, and the iron-clad ships of the two countries stood thus—England, 100; France, 75. If that view was accepted, even in case of the combination of France with any other Power, we might still consider this country safe as regarded our iron-clad fleet. He should have made this statement, or something like it, in Committee; but, in answer to the hon. Gentleman, he had been obliged in some degree to forestall it. Still he had been very glad to have had this conversation, and he should be glad to have the benefit of the hon. Member's remarks when he laid down any more iron-clad ships.

MR. GOSCHEN said, he was reluctant to interpose between the right hon. Gentleman and the statement he was about to make, but the question brought forward by the hon. Member for Pembroke (Mr. E. J. Reed) was of such extreme importance that it ought not to be lost sight of in the details of a discussion on the Estimates. The statement of the hon. Member, which was somewhat difficult to follow, was likely to cause considerable alarm and apprehension, because, on a comparison of the tonnage of different Navies, he arrived at the conclusion that there were several possible combinations even of small Powers that would be superior to the naval strength of England; and if there were any hon. Member who agreed with this conclusion, it would be his bounden duty to give Notice of a Motion declaring that the iron-clad fleet of this country was not equal to its requirements. The country certainly would not be content that those combinations which the hon. Member for Pembroke pointed out as giving a superiority over our own naval power should be a possible danger to us. He would not dispute the figures of that hon. Member; but there were two views which could be taken of his general statement. It was made in answer to a challenge, and if he wished theoretically to show that the tonnage in iron-clads of various countries put together in certain combinations was superior to our tonnage, no doubt, if his figures were correct, he had proved his case. But if the hon. Gentleman went beyond that theoretical conclusion, and meant to say that the actual fighting naval power of those possible combinations which he had indicated—such, for instance, as that of France and Turkey, or that of Italy, Turkey, and Russia—was superior to our own, then it would be the duty of every one who agreed with him to push the Government to the utmost in order to increase our naval power, because the country would not be satisfied with such a state of things. But he demurred to some of the statements of the hon. Member for Pembroke. They had not only to count the number of ships or the quality of tonnage in instituting their comparison. Suppose they had the *Devastation*, the *Thunderer*, and the *Dreadnought*, and had with them to engage a fleet of 16 ships with iron plates of five inches in thickness, and with the guns which that class of ships would carry, was it to be said that because the tonnage of 16 ships was greater than that of the three, therefore they would be superior to them in fighting power? It was on the strength of the individual ships that reliance was to be placed rather than on the number of weak ships with their plates. The possession of one such ship as the *Thunderer* was of incalculable advantage, and as soon as we could multiply ships of such a character our means of safety would be greatly increased. Then there was the question of the difficulty which foreign countries had in building iron ships. The hon. Gentleman had referred to the *Peter the Great* and mentioned the delay caused by the loss of her iron plates on their transit from this country. Well, there was a foreign Power wanting to build iron-clads, but she could not build them without applying to this country for a portion of the material; and that was the case with many foreign Powers besides Russia. The completion of the *Peter the Great* was delayed because her iron plates had to be obtained from England, and they were lost on their way. Surely it gave us an immense superiority to be the great manufacturers of iron-clads, and those iron-clads which were on the stocks in this country could not be regarded as belonging to the foreign Powers which had ordered them until they were completed, because if, before they were finished, a war broke out between us and those Powers they would be confiscated and added to our Navy and deducted from the strength of our enemies. The hon. Member had compared the delay in completing the *Thunderer* and the *Dreadnought* with the delay in completing the *Peter the Great*, but he forgot to state that the delay in the former case was voluntary and intentional on the part of our Admiralty, while in the latter it was owing to the inability of Russia to make iron plates. The delay in regard to the *Dreadnought* was due to the desire to make alterations in her, and in regard to the *Thunderer* to the desire to introduce the new hydraulic machinery for fighting turrets. He was sure his hon. Friend would not by any means desire that the impression should go forth that we could not and did not build iron-clads much faster than other countries. Again, in instituting his comparison with the Turkish Navy, the hon. Member began by excluding in the most extraordinary manner about half the English Navy. He excluded, for example, the *Minotaur*, the *Northumberland*, the *Achilles*, the *Warrior*, and the *Black Prince*, which would be very awkward customers for some of the shorter Turkish iron-clads, mentioned by the hon. Member, to deal with. The hon. Member said, the reason he excluded them was because they were too long, but he (Mr. Goschen) thought that such vessels, manned by English crews, would be found very difficult to deal with by a hostile force. The First Lord of the Admiralty spoke of what he had done during the last two years, and told them that having had before only 14 effective ships in the Navy, he was now able to count 20, exclusive of the *Vanguard*. The right hon. Gentleman had also at enormous cost repaired six ships, yet those ships, with one single exception, were excluded from the hon. Member for Pembroke's comparison. That was practically rather a serious indictment to make against the First Lord of the Admiralty. He did not think he exaggerated the importance of the statements of the hon. Member for Pembroke, because, coming as they did from such a high authority, they were calculated to raise great alarm; and from the cheers which they elicited from some parts of the House, it would appear that they were accepted by some hon. Gentleman. If some of those statements were really correct, all he could say was that no time ought to be lost by the Admiralty in taking action. If the views of the hon. Member for Pembroke were only proximately correct, then our naval power was in a state which ought to be remedied by the Government. It was impossible for any one to support the views of the hon. Member for Pembroke and at the same time not to feel that the Government would incur a very grave responsibility if this year, instead of increasing our iron-clads, they turned their attention to any subsidiary object, however important. He (Mr. Goschen) had already shown that the hon. Member for Pembroke had omitted all the long ships—the *Warrior*, the *Black Prince*, the *Achilles*, the *Agincourt*, the *Minotaur*, and the *Northumberland*. He had also omitted some other vessels, such as the *Repulse* and the *Hotspur*, because he thought they were not sufficiently good ships, but in his (Mr. Goschen's) opinion they were capable of doing us good service. Again, why should a vessel like the *Hotspur* be excluded from calculation, if a naval action had to be fought? There was also the *Glatton*, which would be a match for many an iron-clad. The *Cyclops*, the *Hecate*, the *Hydra*, and the *Gorgon* were likewise vessels of a class likely to prove very effective. He would not go into further detail with regard to the statement of the hon. Member, but he thought the House would not be satisfied to leave the matter in its present state. It must be cleared up, and he trusted that the Government would enable the House to get as much information as possible on the subject. He hoped that the figures which had been published in that House by the hon. Member for Pembroke would be followed by the laying on the Table of the House such official information as could be got as to the Navies of other countries. It appeared that the horse-power of the Turkish Navy was 48,500, while that of the French Navy was 50,000. The hon. Member had done good service by bringing these statistics before the House, but he (Mr. Goschen) thought it was impossible to assent to the hon. Member's views with regard to a combination of various Powers, and an endeavour ought to be made to set the matter right.

Sir JOHN HAY: The interesting statement of the hon. Member for Pembroke (Mr. E. J. Reed) has, I am happy to say, confirmed the views which I have thought it my duty to urge upon successive Governments on whichever side of this House I may have had the honour of a seat. For several years I urged these views upon the right hon. Gentlemen the Member for the City of London (Mr. Goschen), and I am glad to see that he has at last taken alarm. No doubt he has done so because the hon. Member for Pembroke has urged the subject with more knowledge, with more detail, and, I am sure, with much more ability.

Mr. GOSCHEN: I have not taken alarm. I said—if the statements of the hon. Member for Pembroke were correct, then our Navy is not in a satisfactory condition.

Sir JOHN HAY: Well, the statements of the hon. Member for Pembroke have so entirely confirmed all that I have ever stated, and which I have continuously urged upon the right hon. Gentleman opposite, that if he has not taken alarm I am sorry for it. My right hon. Friend the First Lord of the Admiralty has admitted that the relative proportion of the naval force of this country and of France in iron-clads is as 100 to 75. Now, I am not one of those who depreciate the power of that gallant nation, nor do I believe that, because in a war in which 700,000 Germans, splendidly led, triumphed over 300,000 Frenchmen, ill-commanded, therefore their Navy may now be safely despised. The siege of Paris showed that the best of its gallant defenders were the French Navy, and Admiral de la Roncière de la Nourry showed how gloriously the officers of the French Marine can conduct themselves in difficult circumstances. The House must remember that the iron-clad fleet of France is always at hand for European contingencies, and in European seas. They are to be found in Toulon or in Brest, or in Cherbourg. But if we take the statement of the hon. Gentleman the Member for Pembroke as accurate, then one-fourth of our iron-clad ships are in distant seas. I do not admit the entire accuracy of the comparison of the hon. Member for Pembroke, but it is absolutely necessary that in India, in the Pacific, and in the West Indies, we should have an iron-clad ship. It was from no vain desire that an iron-clad was originally sent to those distant seas. Many Members of this House must remember that the *Ocean*, the first iron-clad sent to China, was sent there because the Spaniards had a ship, the *Numantia*, of equal, if not greater, power, which could do as it pleased; was, in fact, cock of the walk, unless we had sent a ship of equal power to maintain at least a just equilibrium. The House must also remember that the *Zealous* was sent to the Pacific, because an iron-clad in the harbour of Valparaiso made it impossible for Admiral Denman in a wooden frigate, which might have been blown out of the water, to enforce the just demands of this country. And now that Chili has two iron-clads and Peru one, as we are informed by the hon. Member for Pembroke, we are more than ever bound to maintain at least one iron-clad in those waters. I need not go into the reasons which make it desirable to maintain an iron-clad on the North American and West Indian Station. But necessities of this kind diminish our naval forces in European waters, and by so much altered our available power in these seas. I hold in my hand a Return, as I believe, quite correct, of the naval iron-clads of France; but before I come to that I should be glad to give the House, with its kind permission, my view of the available iron-clads of this country as well as of France, and though I name as available more ships than the hon. Gentleman, I do so for both countries, and leave their relative strength much the same. Of sea-going iron-clads of the first-class now ready or nearly so, I believe we have three—namely, the *Alexandra*, the *Hercules*, and the *Sultan*. Of the second class we have seven—namely, the *Audacious*, the *Bellerophon*, the *Invincible*, the *Iron Duke*, the *Monarch*, the *Swiftsure*, and the *Triumph*. These 10 ships are equal to any other 10 ships belonging to any navy in the world. In the third class, most of which the hon. Member discards, I place 11 ships — namely, the *Achilles*, the *Agincourt*, the *Black Prince*, the *Defence*, the *Hector*, the *Minotaur*, the *Northumberland*, the *Penelope*, the *Resistance*, the *Valiant*, and the *Warrior*. I do not consider the *Pallas*, the *Favourite*, or the *Research*, in these days fit to be considered in the strength of our iron-clad Navy, nor so far as I am able to judge are the few remaining wooden iron-clads worth much repair, or fit to be reckoned on in the event of a war. There are four of these, and I discard them, as the hon. Member for Pembroke has also done—they are the *Lord Warden*, the *Repulse*, the *Royal Alfred*, and the *Royal Oak*, and I am happy to think the latter name has only been by inadvertence retained on this year's *Navy List*. Of coast-defence ships we have the *Devastation* and the *Thunderer* in the first class, and though they would be very formidable vessels near home, in the Channel, or the Mediterranean, they cannot be looked upon as sea-going ships, and their great draught of water prevents them going through the Suez Canal, and they cannot be regarded as such valuable additions to our Fleet as the right hon. Gentleman seems to consider them. The second class coast-defence ships are the *Glatton*, *Gorgon*, *Hecate*, *Hotspur*, *Hydra*, and *Rupert;* but they would be of no avail for-sea-going operations, although invaluable for attacking a European fortress. We are building eight iron-clads, seven of them sea-going—namely, the *Agamemnon*, the *Ajax*, the *Inflexible*, the *Nelson*, the *Northampton*, the *Shannon*, the *Temeraire* and one coast-defence ship, the *Dreadnought*. But the French are also building nine iron-clads — the *Friedland* and the *Richelieu* of the first class, nearly complete, and the *Devastation*, *Du Guesclin*, and *Foudroyant*, also of the first class, lately commenced; and of the second class, the *Condé*, *Turenne*, *Triomphante*, and *Victorieuse*, now building in France. They have afloat, of the first class—*Marengo*, *Ocean*, *Suffren*, *Magenta*, *Solferino*, *Flandre*, *Gauloise*, *Guyenne*, *Magnanime*, *Provence*, *Revanche*, *Savoie*, *Surveillante*, *Valeureuse*, *Heroine*, *Gloire*, *Couronne*, *Redoubtable*, *Colbert*, *Trident;* and of the second class, the *Galipomére*, *Alma*, *Armide*, *Atlante*, *Belliqueuse*, *Jeanne d'Arc*, *Montcalm*, *Reine Blanche*, and *Thetis*, making 29 sea-going ships afloat and nine building, without counting 19 coast-defence ships. Now I do not know the condition of all these ships; but the French have 29 sea-going iron-clads afloat and nine building, to compare with our sea-going Fleet all told, and reckoning the three wooden iron-clads which my right hon. Friend desires us to reckon, of only 28 and eight building—that is, 36 to 38. Now, I do not wish to blame my right hon. Friend. He is gradually trying to restore our iron-clad Fleet, without any sudden or spasmodic effort. He is building eight iron-clads against the five which the right hon. Gentleman the Member for the City of London was going to build, and this the House must acknowledge to be a great improvement; but I cannot think that the country will rest satisfied until it is assured, not only that our Fleet is equal in number to that of France, but that it is sufficient to meet any possible combination of hostile forces.

MR. SAMUDA considered that the naval force of this country, though great, was not so much in excess of that of other countries as it ought to be. He agreed with his hon. Friend the Member for Pembroke on his general points, but with his details he did not feel the same concurrence. For instance, his hon. Friend was quite right in saying that but a small proportion of the money expended upon our Navy had been spent upon the construction of iron-clads. He could not agree with his hon. Friend, however, as to the number of vessels that should be discarded in estimating our naval force, and he did not think he was right in excluding from it vessels of such importance as the *Minotaur*, the *Agincourt*, the *Northumberland*, and others of that class simply on account of their length. His hon. Friend had designed vessels which were shorter, and therefore handier, but the longer ships would be, nevertheless, very powerful and formidable antagonists. His hon. Friend had dealt with the subject in a very practical manner by considering what was likely to take place, and the position we should be placed in if an European war broke out in which we were involved, but in such an event he would find that ships of the *Gorgon* and *Hotspur* class ought not to be excluded in reckoning the force we could take into Continental waters. They did not, it was true, possess the qualities of cruising vessels, or carry coal enough to take them across the Atlantic, but there was nothing to prevent them taking their places in line-of-battle in any of the European seas. If requisite, they could carry coal enough to take them to Gibraltar, and they could coal there and go on to Malta. With these corrections, 27 was nearer the number of our vessels available for line-of-battle than 12, as stated by the hon. Member for Pembroke. It might, however, be doubtful whether naval line-of-battle would ever again be formed, because, while the stronger Power would sweep the seas, the weaker Power would remain in harbour, under the protection of their guns, until an opportunity served for them to turn out and harass the enemy. France in the Franco-German War had a preponderating Fleet, and Germany, aware of that, kept her ships in port during that war. Germany had now, however, a formidable Fleet; but he believed, from the long friendship that subsisted between that empire and England, Germany would unite with England in any struggle; and with regard to Turkey, he believed the Turkish Fleet would also be with England. This country should keep a Fleet of the most powerful character, so as to have at all times a large available force ready, for in the number of her ships would consist her great safety. He agreed with his hon. Friend in thinking that, although unarmoured corvettes and torpedo vessels were of considerable value, the possession of such ships did not relieve the country from the responsibility of keeping up a complement of armoured ships sufficient, in case of war, not only for all possible service in case of an unexpected combination of Powers against us, but also to form a reserve force which could be called into action during the time occupied in repairing vessels which had been injured or disabled in action. In his opinion, it was perfectly right to spend the surplus wealth of the country in perfecting the condition of the Navy, if only as an insurance against foreign invasion.

CAPTAIN G. E. PRICE said, attempting to estimate the strength of the British Navy by comparing it with the Navy of another great Power, was a difficult process by which to obtain a correct opinion. The right hon. Gentleman had quoted the strength of the British Navy 100 as against 75 of France. He did not know that that was correct; but he thought they would go a great way in arriving at a correct estimate by looking at the sum which their Navy had cost the country. He regarded the amount of money expended upon the maintenance of the Navy as a premium paid upon the policy of insurance covering the Mercantile Marine of the country. In 1860 the total value of the imports and exports of this country amounted to £375,000,000, against £682,000,000 in last year; the expenditure upon the Royal Navy to the same period being £12,324,000 in 1860 and £10,425,000 in 1875. In 1860 the tonnage of the ships employed in the Mercantile Marine of this country was 4,591,000 tons, while in 1873—the latest Return he had been able to obtain—it had increased to 5,682,000 tons, showing an increase of 25 per cent during a period when the tonnage of ships belonging to France had increased by only 6 per cent. Dividing the tonnage into inward and outward bound craft, he found that in 1860 the tonnage of vessels entering British ports was 12,000,000 tons, as compared with 22,000,000 tons in 1873; while that of British and foreign ships cleared outwards from British ports was in 1860 12,500,000 tons, against 22,500,000 tons in 1873. The income of this country returned as taxable in 1860 was about £282,000,000, while in 1873 it amounted to no less than £511,000,000. If, therefore, the premium on the policy of insurance was to be based upon the imports and exports, it was clear, comparing the amount of them with the cost of the Navy, that in 1860 it was at the rate of 3½ per cent, and that in 1873 it was not more than 1½ per cent. If it was more correct to compute the premium upon the taxable income of the country, it was about 4 per cent in 1860, and not more than 2 per cent in 1873. He thought it clear, therefore, that the expenditure upon the Navy, instead of having increased in proportion to the wealth of the country, had positively declined, and that instead of having provided "bloated armaments," the country was not spending a sufficient amount on the Navy.

MR. T. BRASSEY said, the amount of naval force, which it was necessary that this country should maintain, must depend on the naval strength of other countries. Various comparisons might be made; and he should make a comparison, in which all vessels should be excluded from consideration, which were plated with less than 7 inch armour. The able French writer, Dislere, had laid it down as an axiom that armour, which was easily penetrable, was a mere incumbrance; and that armour of less than 7 inches could not be reckoned capable of resisting the projectiles of the naval guns which were ordinarily carried in iron-clad ships. The French Navy had five vessels actually launched which had plating exceeding 7 inches in thickness, and they had building eight such vessels. The programme of the French Government for 1872 included seven first-class and five second-class iron-clads, and eight coast-defence ships. Of the first class three were actually launched, three of the second were being built, and four of the vessels for for coast defence were built. The German Admiralty in 1873 proposed to build eight first-class frigates, all of which were now built; six iron-clad corvettes, of which one was built; and seven vessels for coast defence, of which two were built. The remaining five were abandoned and torpedo boats substituted. The Russian Navy had only two vessels built which had plating exceeding 7 inches in thickness. On reviewing our situation, he thought the House ought to be satisfied that even supposing such an inconceivable thing to occur as a combination against this country of France, Germany, and Russia we ought to be able to maintain the contest on very equal terms. It so happened that the annual naval expenditure of the three Powers amounted as nearly as possible to the sum now proposed for this country. He would not detain the House at a time when all were anxious to hear the statement of the First Lord of the Admiralty. While it was important that our Fleet should at all times be maintained in a condition of efficiency for the emergency of war, he would remind the House, in conclusion, of our unrivalled resources for building iron-clad ships in case of need in the private yards. With those resources at their command, the handsome sums voted by Parliament should be sufficient, if wisely appropriated, to create and maintain a fleet of such incontestable superiority that the country must henceforth be preserved from the panics and alarms which had been far too frequent, and which at the present time were, he thought, wholly unjustifiable.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

60,000 Men and Boys, including 14,000 Royal Marines.

MR. HUNT, in moving the Vote for 60,000 Men and Boys for the Sea and Coast Defences, of the year 1876-77, including 14,000 Royal Marines, said, the preliminary discussion that had arisen before the Speaker left the Chair must, of necessity, take from the interest which might otherwise be felt in the Statement he had to make, because the question of the iron-clad fleet and how far it was adequate for the defence and honour of the country were the most important of the subjects to which he would have to allude.

It was usual on occasions like the present to allude to changes which had occurred in the affairs of the Navy and the Admiralty, and the first change which he had to notice was one affecting the Estimates, and arose in this way. He had been very much dissatisfied with the financial administration of the Admiralty. For the year 1874-75 he found that there was an excess over the Votes of something like £250,000. The same thing happened the year before, but with that he had nothing to do; but last year, as he said, in the first year of his holding office, the excess amounted to no less than £250,000 over the sums voted by Parliament. Such a thing might have taken place with the knowledge of those at the Admiralty; but he regretted to say that the excess was incurred without his being conscious that the expenditure was going on, and it was not until the very close of the year, when it was too late for a Supplementary Estimate to be brought in, that the enormity of the excess was brought to his notice. In fact, only a few days before, a very small excess had been presented to him as that which had been incurred. The fault, however, he was bound to say, was to be found in the system which had existed, and not in the officials. He found that, although they had a financial department at the Admiralty, the Accountant General was not made aware of the basis of the Estimate, except as regarded a few cases, and the consequence was, that they looked to an officer to present a statement of expenditure who had not acquired a knowledge of the facts necessary to enable him to do so. He had made a change in that respect. He required that the Accountant General's department should be made acquainted with the basis of the Estimate prepared in each branch of the Admiralty, and that full information should be given to him from time to time of every liability incurred, so that the Accountant General should be charged with the responsibility of knowing what was the basis on which the Estimate was constructed, and to guarantee the accuracy of the expenditure in the course of the year according to that basis. He trusted that the change would have the effect of avoiding what he considered to be a great blot in the Admiralty administration — namely a great excess of expenditure on grants without the knowledge of the head of the Department.

He would now pass on to that which was of great interest to hon. Members —namely, the expenditure on the manning of the Navy. The Committee was aware that they had to depend almost entirely for the manning of the Navy on the training ships in which boys were trained for the Service. He found that there was a slackness among the boys of this country in joining the Service, and last year, as an inducement to join, a free kit was offered to them, so that they might have the enjoyment of the money which they earned. That gave a stimulus at first, but, he was sorry to say, it only answered the purpose to a small extent, and he had found it necessary to lower the standard of height by 1 inch, and to be less exacting as to the educational requirements of boys joining the Service. That was only a temporary measure, and what the ultimate effect of it might be he did not know, but he was not at all assured that he was likely to get a worse class of boys on account of reducing the educational standard. The question always arose every year whether the supply had made up the waste of the Service. From the last Return he found that as regarded the men the supply was 215 more than the waste, while with regard to the boys, the supply had been 260 less than the waste, and the difference between the two—namely, 45—showed how far the supply was being kept up. He was bound to add that the difficulty of getting boys had increased, and in the course of a few months he should see how the new system worked. In a few months he should expect to obtain a larger number of boys from the Mercantile Marine training ships. He had told the Committee a few nights ago the inducements he intended to offer, and he hoped to get some boys from that Service.

With regard to the class of naval cadets, he would not go into the vexed question of competitive examination, but a question having arisen last year as to the number required, he calculated that in the coming year about 80 cadets should enter the Service for all purposes, navigating and executive. It might not be possible to enter that exact number each year, but that was the number he should aim at. Last year when he proposed to build a new Naval College at Dartmouth a great difference of opinion manifested itself as to whether Dartmouth was the right spot. He had no predilections in favour of Dartmouth, but it seemed to him, upon the whole, to be the most eligible site. It appeared, however, that hon. Members on both sides of the House wished for further evidence on the subject. Instead, thereof, of deciding at once to build the College at Dartmouth, he had determined to postpone the matter until a small Committee which he ventured to appoint had reported which was the most eligible spot for the College.

An hon. Member had suggested that there should be an amalgamation between the Navigating and Executive Officers of the Navy. He had considered the matter as he promised, but had been unable to see his way to the adoption of the suggestion, because it would interfere so materially with the claims of officers on the executive list by altering their seniority by the number added to the list. It would thus create a great deal of injustice, and he believed it would be better that the navigating officers' lists should be left as they were, with this exception, that he proposed to allow navigating midshipmen, who were only 14 in number, to go on the executive list, either with their present rank, or after passing their examination for sub-lieutenants, and the wish of the navigating officers would be so far granted. The increase would be so small in amount as hardly to interfere with the executive list. The claims put forward on behalf of the navigating officers had been anxiously considered by the Admiralty, and some addition had been made to their pay, not to all, but to those on board the larger iron-clads, who would receive an increase of 2*s.* 6*d.* a-day. The total cost of that increase of pay would be £600 a-year, and an Order in Council was being prepared to carry out that increase.

It would be in recollection of the Committee that a new Order in Council had been issued improving the condition of the Medical Officers of the Service. He was anxious to ascertain the operation of that Order, and he found that by the retirement of four Inspectors General at the age of 60, four steps had been given to Deputy Inspectors and four to Fleet Surgeons. Six Fleet Surgeons had retired, and 10 had gained promotion who would not otherwise have obtained that step. That Order in Council had thus operated to procure a flow of promotion. With regard to the inducements to young men to enter the Service, he found that whereas in February, 1875, before the promulgation of the Order, there were only four candidates at the medical examination, last February the number of candidates was 13, so that the operation of the Order in Council had been highly satisfactory in inducing more men to come forward and join the Service.

He now came to the case of the Marines. It would be satisfactory to the Committee to know that he had abolished his patronage as to the first commissions in the Marines. He had availed himself of the examinations of the Army, and had told the Marine candidates that they must go up for the Army examination. That had been done on the occasion of the last examination with very satisfactory results. It had been said that he had only got an inferior set of men, who were not qualified for the Army; but that was not what had happened, because several officers who had qualified for commissions in the Line had preferred to join the Marines, and several of those who were high up in the list had given the preference to the Marines over the Line. He could hardly allude to the Marines without adverting to the stagnation of promotion in that corps. The matter had been several times brought before the House and discussed, and almost immediately after he came into office in 1874 he had had to consider it, and it had been a great annoyance to him that hitherto he had been unable to improve the position of the officers of the Marines. As, however, the question of promotion and retirement in the Army was under the consideration of a Royal Commission, that Department of the Government whose consent in matters involving expense had to be obtained were unwilling that any scheme relating to promotion and retirement in the Marines should be adopted until the Commission on the Army had reported. That decision had, he feared, caused great dissatisfaction in that gallant corps, but all he could say was it was unavoidable. As soon, however, as the Commission had reported it would not be difficult to lay down a scheme for the Marines, on the lines adopted for the Army. Although the hope was still deferred, he trusted that it would not be long deferred. He was asked the other day by the hon. and learned Member for Reading whether the additional pay given to the Line would not be extended to the Marines. There were many circumstances which had to be considered in the Marines, such as the pensions, the pay of the petty officers of the Navy, and so forth, so that it was impossible after it was decided to increase the pay of the Army to go with proper care this year into the pay of the Marines, and it was absolutely necessary that the matter should be postponed.

He now came to the question of the educational establishment at Greenwich, established by the right hon. Gentleman opposite (Mr. Goschen), and he thought the right hon. Gentleman would be interested by what he had to say on the matter. There were at the present time 231 officers studying at Greenwich, together with nine naval architects and nine private students. It had been asked how it happened that so many sub-lieutenants had failed to pass their examination. At the examination last December a very large number did so fail, and, being very much startled and in a state of some anxiety at such a result, he had felt it his duty to make inquiry. He had been assured that the examination had been rather easier than the year before; but that a large number of the students going up to that examination had been unusually wanting in efficiency. He was also told that those who instructed them felt sure that a large number would fail, although the examination was such that any sub-lieutenant of ordinary ability and ordinary industry ought to pass it. It was unfortunate that so large a number had failed; but, looking to what had happened before, he did not think that an undue proportion failed on this occasion. Of course, he had since watched the matter with great interest and attention, because it was most important in these days to have officers thoroughly well educated; as they had to take charge of ships and pieces of mechanism which were very complicated. The requirements of the service were greater as regarded scientific attainments than they used to be, and a proper examination for sub-lieutenants was indispensable. If the present standard was too high it would have to be lowered; but he had yet to learn that such a step was necessary. He wished to mention how desirable it was that their young seamen should be practised, and he had availed himself of the brigs that were used as training brigs to send them out for winter cruising. He was happy to say that he had received from the Commander of the Channel Squadron, under whose orders they were, a very good account of them, and he proposed, with the sanction of the Committee, to take money with which to refit the *Eurydice*, because he felt that the great fault of the Service with regard to seamen was the want of practice at sea. Young seamen rated as ordinary seamen at the age of 18 now passed a long time in harbour ships. They learnt no good, and it was only fortunate if they learnt no harm, whilst practice at sea must conduce to their efficiency.

The hon. Member for Leicester (Mr. P. A. Taylor) had called attention last year to the absence of Returns of Crime and Punishment in the Navy. Since then, he (Mr. Hunt) had considered the matter, and as there was no objection to those Returns being published in a general form, he had given orders for their preparation, but it would be some time before they were ready. As soon, however, as they were they should be laid upon the Table of the House, and he hoped they would be satisfactory to those who wished to have an opportunity of seeing how far the morality of the Fleet was improving or not.

The Committee were well aware of the importance attached to torpedoes. He thought the time had come when an independent torpedo school should be established, and he had accordingly given orders to that effect. The great part which torpedoes were likely to play in future rendered it necessary to have special instructions in that branch of warfare.

Another change which had been made was the addition of 1,000 men to the Dockyard establishment. In view of the probable agitation in the labour market, it was deemed extremely desirable to attach to the Dockyards a larger number of men.

The next subject he had to touch upon was the Naval Reserve. He had paid great personal attention to this subject, and had placed Sir Walter Tarleton at its head, in order that greater attention should be paid to their enlisting and drilling. As a result of that attention, he had to report a considerable increase in the number of men. In February, 1874, the total strength of the Force was 13,728; in February, 1875, it was 16,991; and in February, 1876, it had increased to 17,958. Of this last-mentioned number of men 12,603 belonged to the first class and 5,355 to the second. Taking the two years, the addition to the first class was 1,000, and to the second class 3,200 men. He had given directions that the last satisfactory Report of Sir Walter Tarleton on the men of the Northern District should be laid on the Table, and hon. Members would find in it an excellent account of the fishermen of the North of England and of Scotland. Of the Royal Naval Artillery Volunteers there were now three brigades—the London, 405; the Liverpool, 172; and the Bristol—a new brigade started since he came into office—52.

He could not very well make a statement on the Navy without referring to the Arctic Expedition, which was a matter of great interest to this country, for fear lest it might be thought that because they were to be away for a long time, they were not in our minds; but he had only to repeat what he stated the other day—namely, that an arrangement had been made with Mr. Allan Young, who intended to go into the Polar Regions this season in his yacht, for the purpose of making explorations on his own account, to go to Smith's Sound. It was extremely doubtful whether any despatches would be found there; but as Captain Nares had expressed his intention of sending them, if possible, this spring, it was thought advisable to make the arrangement referred to. Mr. Young had consented to make this the primary object of his voyage, and if he found any despatches he would either bring them himself to England, or put them on board a homeward-bound whaler.

Another question which had been much discussed at the Dockyards was the amalgamation of the offices of Chief Constructor and Storekeeper. That was an experiment made by the right hon. Gentleman the Member for Pontefract (Mr. Childers), and there had been much discussion whether that change should be continued and extended. The question had been referred to a Committee of which the right hon. Gentleman the Member for Shoreham (Mr. S. Cave) was Chairman. In consequence of the right hon. Gentleman's leaving England on a special mission Sir Frederick Peel was induced to take his place, and I hope soon to receive the Report of the Committee.

The Committee on the Deterioration of Boilers had not yet made its final Report. It had made experiments and taken a vast amount of evidence, but the inquiry, it appeared, was still incomplete.

Another subject of great importance, which had also been referred to a Committee, was that of naval engineers. It had long been felt that the present system of engineering ships could not be continued; and there was a great difference of opinion as to how far engineer artificers should be increased in numbers, and engineer officers reduced, also what should be the position of these officers in the Service. The Committee had already reported; but, as the financial effect of its recommendations had not yet been fully ascertained, he was not in a position to state the result to the Committee.

He passed now to the question of shipbuilding in the year 1875-6. As the Committee were aware, the tonnage programme for many years had not been fulfilled; about 20,000 tons had been intended to be built, and the amount accomplished had for a long time fallen short by 4,000 or 5,000 tons. The tonnage intended to be built in the dockyards when he made his Statement last year was 13,812. According to the system of calculation then in force, the actual tonnage built was 13,556, or 256 tons less than was intended. But according to the revised system of calculation there were 14,056 tons built, or 244 tons more than the estimate. Practically, therefore, it might be said that in the dockyards the proposed tonnage had been completed. As regarded the tonnage intended to be built by contract, the result was nearly as satisfactory. The intention was to build 5,853 tons. The tons actually built were 5,566, leaving a difference of only 287 tons. As regarded the wages paid in dockyards, there had been an allowance by the Treasury of £5,000 to Chatham and £4,000 to Portsmouth. As regarded the boiler work done in the Dockyards, it was contemplated that boiler labour to the extent of 14,000 horse-power would be completed in the year, but what would be completed would be 2,276 more than was expected, making a total of 16,276.

He now came to the proposal which he had to make as regarded the building of unarmoured ships. He was sorry that it should again fall to his lot to make a statement somewhat disparaging to the Fleet. Two years ago he made a statement which was complained of in some quarters, in reference to the condition of the iron-clad fleet. The hon. Gentleman the Member for Pembroke (Mr. E. J. Reed) seemed to say that evening that he (Mr. Hunt) on that occasion had not gone far enough; but, at all events, what had been stated by the hon. Gentleman would convince a great many people that he (Mr. Hunt) had not taken an exaggerated view of the matter. The condition of the unarmoured fleet, of course, was not so material a matter as the condition of the armoured fleet; but, at the same time, it was a matter which could not be neglected. The condition of the unarmoured fleet did not improve upon acquaintance, and after two years' experience of his Department he did not take so favourable a view of it as he did a year ago. Looking at the Navy List, a great many ships appeared as part of the Fleet, but he was sorry to say that many of them were entirely unserviceable. He thought it better to speak plainly to the Committee on the matter, and he hoped he should not be considered as desiring to create a panic. He did not think it was a case for panic; but he thought it was a case for endeavouring to improve the state of things. With regard to the frigates, there were 20 on the list; eight of these were condemned, and two more would probably be condemned. There were five that required heavy repairs, one required repairs, three were in good condition, and one was altogether new. There were 32 corvettes on the list, eight of them were condemned, two more probably would be condemned, four were under repair, five required to be repaired, 10 were building, and three were good. There were 25 sloops on the list, 11 of them were unserviceable—and when he said unserviceable, he meant for cruising purposes—one required heavy repairs, 13 were good, five were building, and two were ordered last year. The gun vessels were 42 in number; five were unfit for general purposes, and not worth repair; 13 wanted repairs; four were under repairs; and 20 were good. There were 15 gunboats, of which three would want repairs this year. There were, besides, gunboats for harbour purposes, and 18 gunboats for home defence; and there were also ships of different kinds used as store ships, tenders, and harbour ships; but what he referred to was ships for cruising purposes, sent to various stations. When he came to consider the reliefs for the year, he found it was impossible to provide reliefs for all the ships, and he purposed, therefore, notwithstanding the remarks of the hon. Member for Pembroke, to send an unarmoured vessel as flag-ship to the Pacific. They required, in order to keep up their present force on foreign stations, 84 ships, consisting of 40 corvettes and sloops, 41 gunboats, and three despatch vessels. For that purpose he found that they had only 80 effective to serve, or four short. In 1869 the right hon. Gentleman the Member for Pontefract considerably reduced the ships on foreign stations, and he settled the number after consultation with the Foreign and Colonial Ministers of the day; but now they were 10 vessels short of the establishment which had been fixed by the right hon. Gentleman. If they took into account three ships added to the Indian stations to put down the Slave Trade, they were actually seven short; but these three ships were sent out for special purposes. That was the state of the case with regard to service in 1876, and he confessed that they had been entirely at a loss to know how to supply these reliefs. Under the circumstances, with the consent of his Colleagues, he gave an order for certain ships to be commenced before he obtained the Vote of the House; feeling confident that he should be supported in what he was doing. It was so desirable that no time should be lost that he gave an order for six gunboats and two sloops, the estimates for which he should explain to the House. Although it was open to question whether the ships should be built without the express authority of Parliament, he was not exceeding the expenses sanctioned for the year 1875-6, and he therefore had confidence in throwing himself on the indulgence of the Committee. The Committee were well aware that great complications had arisen in the East during the year in more than one quarter, and he had had the strongest and most urgent applications from the Commander-in-Chief in China to supply him with gunboats with a shallow draught of water and considerable speed. The gunboats that were in use in the last war in China had entirely gone to pieces, and they felt it necessary that orders should be given for the construction of some gunboats for river service. They had, therefore, entered into a contract for the construction of six such gunboats. [Mr. GOSCHEN: Besides the other six?] Yes; but that was not all he was going to ask the Committee to sanction. He should ask the Committee to sanction the construction of 12 such gunboats, and that was not all that he was urged to provide by the Commander-in-Chief in China. After considering the matter with his naval Colleagues, it was considered that 12 might be sufficient; but at present they had no boats of the kind in the service, and he considered it an absolute necessity that the want should be supplied. [Mr. GOSCHEN: Does that make 18 gunboats altogether?] Yes, but 12 are for river service. They were to be of light draught of water, and of nine knots speed, and to carry three 64-pounder and two Gattling guns. He should say that the six gunboats already contracted for would be completed within the year, and that the six river gunboats would be partially built in the same time. But that was not the whole of the demand he had to make upon the Committee. What he had already said as to the state of our unarmoured fleet showed, he thought, a deficiency in fast cruising vessels, and he proposed that six corvettes of the *Opal* class—it might be with some modifications — should be built. They could not be completed under two years, and therefore about one half the cost would fall upon this year, and one half the next. Those were the proposals which he had to make as regarded shipbuilding by contract in addition to three small vessels for torpedo service, one for special fast service, and one of a modern class. Then in the Dockyards it was proposed to commence three new sloops of the *Osprey* class — one at Sheerness and two at Devonport. The question might arise whether all that addition to the unarmoured fleet was to be made at our Dockyards or by contract, and if the normal state of things had been at work it might have been divided between the two; but the case was a special one, and though he could not say to the Committee that the Vote might not be repeated in future years, he hoped that we should in two or three years have regained the ground we had lost. He had taken, he might add, 16,000 as the normal number of men employed in the Dockyards, and he did not wish, if he could avoid it, to exceed that number, for he thought it extremely objectionable to have constant fluctuations in the numbers employed, now hiring and then discharging men, and thus causing a great deal of distress and agitation. He had stated what was the number of ships required to complete the establishment on foreign stations, as laid down by the right hon. Member for Pontefract, and adding those to the number which would be necessary to provide proper relief, he found that the total number of vessels wanted would be 118, whereas there were available, striking out those condemned or under repair, only 105. Adding six others of the *Mallard* class, besides two sloops of the *Arab* class and six corvettes of the *Opal* class, we should have 14 additional, which would give one more than the total number required. That, he thought, was a matter of necessity or extreme expediency, and having added the number which he mentioned, we should not have more than one vessel to spare. He thought nothing less than those proposals ought to satisfy the Committee, or would place us in a proper position to protect our commerce in the event of war. He had endeavoured to be perfectly frank with the Committee on the subject, and our exertions ought not, he thought, to cease with the expenditure of this year, but ought to be continued.

He had now stated the proposals with regard to shipbuilding. Before the House went into Committee, he said that it was not his intention to propose laying down any new iron-clads this year, not because he thought that the time had come to discontinue their construction, but because they had so many already in progress which they could accelerate if need be. It seemed to him that the crying want at present was not in iron-clads, but in additions to their unarmoured fleet. The increase of tonnage was about 4,000 tons upon that proposed last year, and the amount of iron-clad tonnage to be built by contract was about 3,200 tons.

He would now state what was the total amount of the Estimates as compared with last year. The gross amount was £11,288,872. From that must be deducted extra receipts and repayments and contributions by the Indian Government, amounting to £215,000, leaving £11,073,872. Then there were cross-charges between the Army and Navy Estimates for Ordnance, Torpedoes, and *materiél* of that kind. That left a net charge for the Navy of £11,400,000. That sum might be apportioned as follows: — For Effective Services, £9,504,000, and for non-Effective Services, £1,896,000. The charge for Effective Services might be divided thus—For the *personnel* of the Navy, including Marines, Coast Guard, and Naval Reserve, £4,237,000; and the *materiél*, £4,817,000; for the administrative and scientific branches, land charges, and miscellaneous, £449,000. At that hour of the evening the Committee would hardly wish him to go through the different Votes, as there would be ample opportunity of discussing them hereafter when the Votes came before the House in the usual way. The Committee, however, would perceive that while making a large addition to one particular Vote, he had endeavoured as far as possible to curtail the expenditure on other Votes; and that, to use the old expression in Her Majesty's gracious Speech, the Estimates had been prepared with a view to economy and efficiency. The Vote which stood out beyond all the others and showed a very considerable excess, was Vote 10, Section 2. There had been a slight decrease on Vote 10, Section 1, but the increase on Vote 10, Section 2, was £450,000. That, of course, was a very grave matter to present to the Committee; but he hoped that after hearing his statement as to the necessity of taking urgent steps to supply the deficiencies in our unarmoured Navy, hon. Members would think he was justified in making that proposal. The right hon. Gentleman concluded by moving the Vote.

Mr. GOSCHEN said, the Committee had listened with interest to the speech of the right hon. Gentleman. After the right hon. Gentleman had been two years in office, and had moved the Estimates for the third time, it appeared that there was no crying want with regard to our iron-clad Navy, but that there was a deficiency with regard to certain sloops and gun-vessels for foreign stations. He thought the right hon. Gentleman might fairly congratulate himself that in the course of two years, with the extra men that had been voted, he had been able to reverse the picture he had formerly presented to the House, and to say now that the further commencement of iron-clads had become of second-rate importance, while the urgent want was for a large and somewhat sudden increase in our unarmoured ships. The right hon. Gentleman had not, however, gone through the forces required on our foreign stations or shown the existence of urgent need on any foreign station, except China, for gunboats or gun-vessels. The right hon. Gentleman assumed that the state of things fixed in 1869 by the right hon. Gentleman the Member for Pontefract must still continue; that there must be a particular number of vessels on various stations; and that, in order to keep up that somewhat arbitrary number, he was right in ordering gun-vessels even before Parliament met. He did not know whether he quite understood the programme of the right hon. Gentleman as to gunboats. He understood that liabilities had been incurred in this financial year for the construction of six gun-vessels in addition to 12 gunboats laid down for China. [Mr. Hunt: Not to be paid for this year.] But put out to contract, so that the liability was incurred; and they were not required for China, but for the ordinary service. Further, there were to be 12 other gunboats laid down for China, so that there were to be 18 gunboats and six vessels of the *Opal* class also. He would not now speak of the gunboats for China, because they were required for a distinct political object; but the other ships would not add to the fighting or aggressive power of the country, they being required rather for routine and police duties in our foreign possessions, and he knew there was a constant tendency at the Admiralty to press forward the vessels required for routine and police duty rather than those which were required for the higher interests of the country, such as iron-clads. If the right hon. Gentleman were content to offer this programme of gunboats to the Committee as his policy for the present year, it was a distinct admission on his part that as regarded the most important point of the fighting power of the country, we could wait a year and postpone it to the routine part of the service of the Admiralty. He thought the right hon. Gentleman could not object to the way in which he (Mr. Goschen) had just stated the case. Earlier in the evening there had been an interesting discussion on the subject of our iron-clads, and the hon. Member for Pembroke (Mr. E. J. Reed) had made a statement in which he excluded from the fighting force of the country as compared with the Navies of foreign nations, all the principal ships on which the right hon. Gentleman had expended money during the last two years. That brought him (Mr. Goschen) to the Dockyard programme. The right hon. Gentleman had omitted this year to state in Appendix 11 what vessels were to be repaired. That information was given only in the case of Chatham Dockyard. Perhaps the omission would be supplied on a future occasion; but, at present, it had made it somewhat difficult to follow the right hon. Gentleman's proposals. For the last few years it had been customary to state in a note how many men were employed in the various Dockyards in repairing ships. This year 5,700 men were required for shipbuilding and 10,300 for repairs. Were the latter required for repairing the iron-clads, or the frigates and corvettes? On that point the Committee was absolutely without information. Looking at the 16,000 men who were to build 5,600 tons, it was to be lamented that the right hon. Gentleman was unable to build a larger tonnage in the Dockyards, instead of putting out so many ships to contract. He quite admitted that it was undesirable to make a sudden increase in the Dockyards, with the prospect of having soon to throw the men off again; but he thought it should be made clear to the Committee why the right hon. Gentleman was not able to produce more in the Dockyards with the large number of men now employed there, especially as he said he had now turned the corner with the iron-clads. It seemed that the right hon. Gentleman was going to build three small sloops of the *Osprey*, or rather of the *Pelican* class. Surely it was rather a disappointing programme that, with so large an expenditure for the coming year, a larger addition was not to be made to the fighting force of the country. On the other hand, he cordially congratulated the right hon. Gentleman on having been able to build the 20,000 tons which he had estimated, with the help of additional money granted by the Treasury and of the extra amount voted by the House. It must also be satisfactory to the Controller of the Navy and his assistants that for once they had been able to build the amount of tonnage proposed at the beginning of the year. The right hon. Gentleman had read a list showing how many frigates, corvettes, and sloops we were short. But the right hon. Gentleman did not propose to build a frigate or a large-class of corvettes, though he proposed to build six corvettes of the *Opal* class. He understood that there were six gunboats already contracted for, and that they were of the *Mallard* class, and that there were to be six of a different class. [Mr. HUNT: The 12 were to be river service boats, with light draught, and fast.] But these were all small vessels; and he thought that the right hon. Gentleman, when he talked about frigates, might have added to his statement that no country in Europe was building frigates, and that, therefore, the question of frigates was becoming a subsidiary one. Light armoured ships of the *Shannon* class would, it seemed, supersede the old frigates, and it was unlikely that any more frigates would be constructed. He questioned the policy of sending a large frigate, the *Shah*, to the Pacific Station. What was she to do there? Was she to fight those Chilian iron-clads of which the hon. Gentleman (Mr. Reed) had spoken? To send a large ship of that type to those distant waters involved the important question of desertion. Vessels sometimes lost almost half their crews upon the Pacific Station, and he doubted the expediency of sending a frigate there at all. There was the same difficulty with an iron-clad; but it was always held desirable to have one iron-clad upon that station to meet the iron-clads of any other country that might be there, and he did not see why the practice should be changed. Passing to another point, the Committee would remember that since last year we had lost the *Vanguard*, worth about £500,000. He had, therefore, said to himself—"If the right hon. Gentleman proposes to replace the *Vanguard*, and increases the Estimates by a similar amount in order to make up this loss of power by new iron-clads, I shall probably think it my duty to support the proposal." The right hon. Gentleman had increased the Navy Estimates by £400,000 or £500,000, and yet he did not replace the *Vanguard*. We were, therefore, short of some 5,000 tons, which was about the tonnage of the *Vanguard*, and about the amount which the right Gentleman built in a year. Comment was superfluous on that point. He read in it the confidence which the right hon. Gentleman felt in the force at his disposal. It was not that he could not persuade his Party to vote the money. Hon. Gentlemen opposite would have been better pleased to vote £1,000,000 increase to the Estimates than £500,000. ["No, no!"] He ventured to say that a Vote of £500,000 to replace the *Vanguard* would have been received with acclamation; but he would be glad if hon. Gentlemen opposite took the view that, notwithstanding the loss of 5,000 tons, we were still in a position with which we might be perfectly satisfied. That was an answer to the speech of the right hon. Gentleman two years ago. There were some other matters to which the right hon. Gentleman had called attention to which he wished to allude. The excess of expenditure over amount voted was not without precedent; but he trusted that means would be taken to prevent a recurrence of that excess. The right hon. Gentleman had spoken of an increase of pay to the Marines, and of the absolute necessity that it should be deferred. The question was, whether this body of 14,000 should have this increase of pay assigned to them. He could not help regretting that after an increase of pay had been announced to the Army, it should be thought necessary to postpone an increase to the Marines. The corps of Marines, being neither sailors, nor in a sense soldiers, it would be said that they did not receive the same amount of attention as sailors received from the Admiralty and soldiers from the War Office. The result of the postponement was to be regretted, inasmuch as the increase of pay would now be agitated for, instead of being regarded as a spontaneous act of grace. With respect to the College at Greenwich, he rejoiced to hear that the attendance of officers was so good, and that the College was likely to do a large amount of benefit to the Service generally; but he trusted that no pressure would induce the right hon. Gentleman to consent to lower the standard once fixed. The question relating to engineers was a most important one, because it not only affected their promotion, but their actual position in the Service. He hoped, however, as the subject, together with those relating to boilers and promotion generally, had been referred to Committees, their Reports would be made within a reasonable time, so that they might have the opportunity of discussing them before the Session closed. He was glad to hear there was a great increase in the number of the Reserves, particularly of the second class, which had been established shortly before the late Government left office. He rejoiced that their anticipations in that respect had been verified, and he believed that the Report of Admiral Tarleton would be looked for with great interest. With respect to the Third Class Reserve, established for boys, he was afraid that there would be some difficulty in obtaining a sufficient number of boys for that class. With reference to them, he thought the proposed payment of £25 to training ships for every boy that entered the Navy was a very fair arrangement; but he wanted to know whether that payment would relieve the Admiralty of the expense of the boys' education. That would, of course, depend on the age at which they left the training ship. If they left at 16, how would they be utilized till they entered the Navy at 18? It was very important to look into this question of age, for nothing was laid down in the Regulations which threw any light on the subject. The question of recruiting the numbers was one which would be brought under the notice of the House by his hon. Friend the Member for Reading (Mr. Shaw Lefevre), and the right hon. Gentleman opposite might then give them further information on the subject. He (Mr. Goschen) might say that it was his privilege to attach a cruiser to the Mediterranean Fleet, the design being that boys might secure a better training, and Admiral Yelverton had stated that the plan had proved a success. If that were so, the question was whether the plan might not be extended. Some of the changes in minor matters which the right hon. Gentleman had indicated might be very beneficial; but the programme of shipbuilding which he had submitted to the Committee was so important that it would require great consideration before they could give it their final assent.

SIR JOHN HAY: The right hon. Gentleman who has just addressed the House, with his usual ability, but in a spirit of hostile criticism, has called attention to the Excess Votes due to shipbuilding in the last financial year; but he seems to forget that my right hon. Friend has completed his programme; whereas the right hon. Gentleman was only able to keep down the Votes by neglecting to fulfil his promises to the House. My right hon. Friend has completed within a few tons all the shipbuilding which the House sanctioned a year ago; and, for reasons which he has explained, has found out that his ships have cost more than was expected. What was the practice of the right hon. Gentleman opposite not in one year, but in every year? I hold in my hand the figures already laid on the Table of this House, which show the differences between promise and performance in every year from 1870 to 1875, when the late Administration was in power. In 1870-1, 3,426 tons less than were estimated for; in 1871-2, 614 less; in 1872-3, 5,175 less; in 1873-4, 2,557 less; in 1874-5, 3,317 less; and as to the money voted for shipbuilding in 1870-1, £153,000 voted for shipbuilding was spent for other purposes; in 1871-2, £267,000; in 1872-3, £188,000; and in 1873-4, £247,000. It is very easy by this process to keep the expenditure within the Votes, and this was the process adopted every year by the right hon. Gentleman the Member for the City of London. He came down to Parliament every year and said the programme is not fulfilled but all the money is expended—I have no ships to show and I have no money left. Nor is it right to say that it is always the practice to fail to fulfil the programme or to exceed the Vote. This Return shows that in 1867-8 my noble Friend (Lord Hampton), then First Lord, added to the Navy in one year 33,701 tons, having only promised 33,206 tons in his programme, and that this excess of building was completed, whilst £15,000 was available for other services at the Admiralty. The right hon. Gentleman has challenged my right hon. Friend as if the weakness of the wooden fleet was a new discovery; but I must say I think this is extremely disingenuous. What did my right hon. Friend say in 1874 with regard to reliefs, even in time of peace? He said—

> "I have gone into the scheme of reliefs established by the late First Lord, and although I am not prepared to dispute that that scheme might suffice for the present year, the right hon. Gentleman himself will doubtless admit that it provides no margin, and that if a single important ship in that scheme came to an untoward end there is nothing whatever to take its place."—[3 *Hansard*, ccxviii. 870.]

Now, that was never contradicted by the right hon. Gentleman. The number of ships for foreign service were settled by the Administration of which he was a Member, too few, in my judgment, adequately to perform the police of the seas and to protect our commerce; and how did it come about that the ships were so reduced in numbers? The First Lord, in 1870, had assured the House that the ships were then in good condition and amply sufficient for every purpose. He gave due credit to his Predecessors in office, and recognized the fact that Lord Derby's Administration and that of my right hon. Friend had by great efforts left the fleet in good condition. But after that nothing was done to supply the inevitable waste and deterioration of the fleet until my right hon. Friend came into office in 1874. Since that, not by sudden or violent efforts, but gradually, my right hon. Friend has been endeavouring to complete the iron-clad fleet; and now finding that he has only 105 wooden ships to perform duties which require 118, he has asked the Committee to enable him to build 14, or 1 more than we require. Indeed, so pressing is the necessity, that he has wisely taken the responsibility of commencing six of them before the Vote of to-night has been granted, a course which I feel sure the Committee will approve. The right hon. Gentleman opposite taunts my right hon. Friend with having failed to replace the *Vanguard*, and argues from that, that my right hon. Friend is satisfied that we have more than enough of iron-clads, but the discussion in the earlier part of this evening has, I think, answered that taunt; and it is ominously significant that the loss of the *Vanguard* has deprived my right hon. Friend of the power to retain an iron-clad in the Pacific, where, as has been seen, her presence is so necessary to the strength and power of England. But, unfortunately, we cannot restore in two years the neglect of five. Sloops and gunboats must be built as well as iron-clads, and at least those must be built which both Administrations have considered to be absolutely essential for the public interest. I do not doubt but that the right hon. Gentleman the Member for the City did his best with the late parsimonious and niggardly House, which would not cheer a First Lord of the Admiralty who proposed to endeavour to maintain an efficient Navy; but now, fortunately, as the right hon. Gentleman sees, there is a majority which will support a First Lord in all reasonable demands, and which will support him in his endeavour to restore the preeminence of our Navy.

Mr. SHAW LEFEVRE said, it was not his intention to follow the right hon. and gallant Gentleman who had just sat down into the comparison he had instituted of one Administration with another, and of which, he thought, the House, and no doubt the country also, had had enough. To hear the right hon. and gallant Gentleman, any one would imagine that the Government came into office yesterday, instead of having been in power for more than two years. During that time it was open to them to build as many sloops as they thought fit; yet it was only now that the right hon. Gentleman the First Lord of the Admiralty called attention to the state of the Navy in reference to these sloops. He might, however, have stated what the Government now in office had done in the way of shipbuilding, when he was showing how they had fulfilled their programme. In the first year they were in office they increased their Estimate by £450,000; in the second year they increased it by £500,000; and this year they had increased it by £450,000. The right hon. Gentleman had stated that the Government had fulfilled their programme, but had said nothing about the Supplemental Estimates which they brought in, nor anything about the actual tonnage built by their Predecessors. There was one proposal made by the right hon. Gentleman which would require most careful consideration. In our Dockyards there were two classes of workmen—the shipwrights and the factory men. The former had established wages, and in due time retired upon pensions; the latter were paid the market rate of wages, and were only engaged from time to time. The right hon. Gentleman now proposed to place 500 factory men on the establishment, but had not stated how it was to be done. If the factory men put on the establishment were to have their wages reduced so as to afford an equivalent for their pensions, they would think the change no boon, and if the pensions were to be added to the present rate of wages the step would inflict a considerable loss upon the country.

Mr. E. J. REED, in explanation of some remarks in his speech in the earlier part of the evening, said, that when he spoke of displacing ships he only meant taking them from one important branch and adding them to another branch of the Fleet, and in doing so he made the right hon. Gentleman a present of so many frigates. He did not look upon the money spent in the repair of those vessels which he had thrown out of consideration as fighting ships as having been thrown away. Frigates which might not be fit to take a place in the first rank as fighting ships might be useful in other ways. He regretted that while it was intended to send an unarmoured frigate to the Pacific, no step would be taken to replace the *Vanguard*, a fact which would justify him to urge upon the House on all possible occasions the necessity of increasing the number of our iron-clads. In 1871 and 1872 the cost of iron-clads was £65 per ton; but experience since then had shown that, with the growth of the armour and other requirements of such ships, their cost had very much increased. The present Government, since it had been in office, had laid down, to the best of his knowledge, only four iron-clad-ships

—two of the *Shannon* class, and the *Ajax*, and the *Agamemnon*. The two of the *Shannon* class he believed were the least important sort of armour-clads, and the *Ajax* and the *Agamemnon* were practically not begun. He could assure the right hon. Gentleman (Mr. Hunt) that he wished to support him in the arduous duties of his office; but he must say he felt disappointed when he found the programme of the year was almost entirely comprised in the building of a number of unarmoured gunboats. The right hon. Gentleman ought to state why he asked for so large a number of that class of vessels. There might be State reasons for building more unarmoured gunboats; but he believed that, in the main, the proposition was the outcome of the naval element in the Board of Admiralty. The Sea Lords wished to keep up the same number of men as there were in the Service before iron-clads, which required only a few men, were introduced, and, in order to keep up the same number of men, they asked for more gunboats to put them in. It might be that all these wooden vessels were required, and the First Lord of the Admiralty might be perfectly right in proposing that they should be built, but the House ought to have more information on the subject.

CAPTAIN G. E. PRICE approved of a number of men being employed in the Government Dockyards, where they could acquire a knowledge of machinery that might be of the greatest value to the country in time of emergency. He wished to know why the sailors on the China Station were paid in Mexican dollars, which were, as a rule, at a considerable discount, a practice which involved much loss to the sailors without any gain to the Government.

MR. GOURLEY thought that the First Lord of the Admiralty, before asking Parliament to grant increased Estimates, should have endeavoured to economize. A reduction of expenditure might be effected in several Departments of the Navy. For example, although in 15 years the number of ships had been diminished by 619, the number of men and boys in the Service remained the same. He contended that it was unnecessary to spend £25,000 on new buildings for the Coastguard, and that a great reform was possible in that branch of the Service; and, further, submitted that the time had arrived for reducing the number of Dockyards.

MR. HUNT stated that in the Dockyards it was proposed during the year to proceed with 8 iron-clads, 8 corvettes, 10 sloops, 2 despatch vessels, and 6 gunboats, in all 34 vessels, and to repair 41 vessels, including 7 iron-clads. The *Lord Warden* was considerably advanced, and would, probably, be ready by August.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Rylands.*)

MR. HUNT opposed the Motion. There would be plenty of opportunity for discussing general questions when other Votes were under consideration. He was informed by the Treasury that it was very desirable the Vote should be agreed to that night.

Question put.

The Committee *divided:* — Ayes 63; Noes 105: Majority 42.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Captain Nolan.*)

MR. HUNT hoped that another division would not be taken, as the hon. Member for Reading would not lose the opportunity, if the Wages Vote were agreed to, of calling attention to the state of the Navy on going into Supply.

MR. BIGGAR objected to taking Votes after half-past 12 o'clock.

THE CHANCELLOR OF THE EXCHEQUER said, it was usual when the number of men had been agreed to for the Wages Vote to follow as a matter of course. To postpone the Vote was only throwing impediments in the way of Public Business, and he therefore trusted the Committee would come to a conclusion upon it that evening.

THE CHAIRMAN said, if the Vote were agreed to it would be competent to raise the Motion of the hon. Member for Reading on the Question that the Speaker leave the Chair on the Navy Estimates.

SIR PATRICK O'BRIEN wished to know whether if the Wages Vote were agreed to now, it would be competent to raise a Motion on that subject when the House next went into Supply.

MR. BIGGAR said, that if the Motion of his hon. and gallant Friend (Captain Nolan) were negatived, he should immediately afterwards move, notwithstanding, that the Chairman report Progress.

Question put.

The Committee *divided:*—Ayes 62; Noes 104: Majority 42.

Vote *agreed to.*

Motion made, and Question proposed, "That the Chairman do report Progress and ask leave to sit again."—(*Mr. Dillwyn.*)

MR. HUNT said, it seemed to be the wish of hon. Members opposite that the Committee should not then proceed, and he therefore assented to the Motion.

Question put, and *agreed to.*

House *resumed.*

Resolution to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

HALIFAX (VICAR'S RATE).

Ordered, That a Select Committee of Five Members, to be nominated by the Committee of Selection, be appointed to inquire into the operation of the Act 10 Geo. 4, c. 14, relating to the Vicar's Rate at Halifax, and to report their opinion to the House whether any and what amendments should be made in the said Act.—(*Sir Henry Selwin-Ibbetson.*)

MANCHESTER POST OFFICE [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the Purchase, out of moneys to be provided by Parliament, of any Land that may be acquired in pursuance of any Act of the present Session for enabling Her Majesty's Postmaster General to acquire a Site for the extension of the Manchester General Post Office.

Resolution to be reported *To-morrow.*

CORONERS (DUBLIN) BILL.

On Motion of Mr. SULLIVAN, Bill to amend the Law relating to Coroners and Inquests in the county of the city of Dublin, *ordered* to be brought in by Mr. SULLIVAN, Sir ARTHUR GUINNESS, Mr. MAURICE BROOKS, and Mr. PATRICK MARTIN.

Bill *presented,* and read the first time. [Bill 104.]

POOLBEG LIGHTHOUSE BILL.

On Motion of Mr. EDWARD STANHOPE, Bill for vesting Poolbeg Lighthouse in the Dublin Port and Docks Board; and for other purposes relating thereto, *ordered* to be brought in by Mr. EDWARD STANHOPE and Sir CHARLES ADDERLEY.

Bill *presented,* and read the first time. [Bill 105.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, 14th March, 1876.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Patents for Inventions (15).
Report—Crossed Cheques* (27).
Third Reading—Appellate Jurisdiction (23); Epping Forest* (24), and *passed.*

PATENTS FOR INVENTIONS BILL.

(*The Lord Chancellor.*)

(NO. 15.) SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2^a."—(*The Lord Chancellor.*)

THE EARL OF ROSEBERY said, that the Petition he had just presented raised two points in connection with this measure. The poorer class of inventors considered that the fees which they had to pay were too high; and he must say that it seemed reasonable that the fees should be reduced, so that every facility should be given to the application of those who were desirous of obtaining patents. The other objection to the existing system was that the specifications of patents were not sufficiently circulated. He understood that free libraries and other institutions had found considerable difficulty in getting copies of the specifications. As regarded the question of patents he believed that the whole matter lay between two issues—either that there should be no patents at all, or else that every facility should be given to the poorer class of inventors for obtaining them. He hoped that the noble and learned Lord would give some attention to the matter.

THE LORD CHANCELLOR said, he was obliged to the noble Earl for drawing his attention to the matter: he was, however, at a loss to understand the foundation of the complaint that there was any difficulty in obtaining copies of specifications—an objection of which he had never heard before. He had been led to believe that if there was any error it was the other way. He had understood that there was no Department that had given so great facilities to the public as the Commissioners for Patents in reference to obtaining information in reference to specifications. Not only was there a central Library of Specifications where they were open for inspection without fee, but they had been printed from the earliest time, and could be obtained for a very small sum of money. In addition, copies were sent to various depôts throughout the country, where they could be purchased at a very low price. As to the question of fees imposed for obtaining patents, that was in one sense more for the House of Commons than for their Lordships. The Royal Commission examined the question, and they were unanimously of opinion that the fees should not be reduced; and a Committee of the House of Commons reported, by a majority of 8 to 3, against reduction. Therefore, he had not proposed any reduction in his present Bill. It should be borne in mind that the grant of a patent was the grant of a monopoly which might very seriously interfere with the trade of the country; and that it should not therefore be granted lightly. One of the best checks against the granting of patents for matters that might be frivolous or useless was the establishment of sufficient fees. The payment of fees was at present arranged in a very sensible manner; for the stamp payable on first obtaining the patent was small, and the larger fees were payable only on the expiration of the third and seventh years; so that the inventor would have time to consider whether it would be worth his while to pay the larger fee or not. He did not think that the fees at present charged upon inventions could be reduced without serious danger to the interests of trade.

Earl GRANVILLE was understood to say that he thought the noble and learned Lord on the Woolsack had done well in omitting from the present Bill the provision for the appointment of Experts contained in the Bill of last year. As to the omission of the clause providing for two classes of patents—one for seven and the other for 14 years — he doubted whether it was so advisable. He thought that with respect to that proposition it might have been better for the noble and learned Lord to have acted on first impulses.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

APPELLATE JURISDICTION BILL.

(*The Lord Chancellor.*)

(NO. 23.) THIRD READING.

Bill read the third time (according to Order).

Lord REDESDALE congratulated their Lordships on the fact that the Bill had reached this stage without opposition. Looking back to the legislation of 1873 and to what occurred in 1874 and 1875 in reference to this subject, he thought that the change of opinion which had led to this Bill was very complimentary to the manner in which their Lordships had exercised Appellate Jurisdiction.

Amendments made; Bill *passed*, and sent to the Commons.

INDIA—THE INDIAN TARIFF.

OBSERVATIONS.

Viscount HALIFAX rose and said: It is with great regret that I have felt it to be my duty to call the attention of your Lordships to the Papers laid on the Table by the Secretary of State for India on the subject of the Indian tariff, more especially because I am afraid that from accidental circumstances the question may assume the appearance of a Party question. Noble Lords who have been at the India Office in this country during late Administrations naturally sit on this side of the House; but it so happens that other noble Lords who have filled with distinction the highest offices in India, and who have formed their opinions from personal knowledge of the country, and who, I am happy to say, agree with me, also sit on the same side.

I have always considered Indian questions to be far above all Party views. When my noble Friend the Secretary of State for Foreign Affairs and I discussed Indian matters in the House of Commons together, I bear willing testimony to the fact that the noble Earl was careful to do so without any reference to Party considerations, and I trust the noble Earl will readily bear similar testimony in reference to my own mode of treating these subjects.

THE EARL OF DERBY: Hear, hear:

VISCOUNT HALIFAX: The question to-night is not a question between the two sides of the House. It is a question between the line of conduct hitherto happily pursued in reference to the Government in India and Indian interests, and a totally different line of conduct, which these Papers seem to indicate that it is the intention of my noble Friend the Secretary of State for India to pursue.

When, many years ago, I first became Minister for India, the unanimous opinion of statesmen of all Parties, as tersely expressed by Lord Macaulay, was that India ought to be governed for Indian interests and as much as possible in India. Indeed, I consider that proposition so nearly self-evident that it does not need much argument to support it. There was a time when the interests of our Colonies were made subordinate to those of the Mother Country. We have grown wiser; we have established in the Colonies independent domestic Legislatures which govern the Colonies in the interests and in accordance with the wishes of the Colonies themselves. The circumstances of India make it impossible that an independent local Legislature should be established in India; but the same principle of government is no less applicable to India than to the Colonies. The Colonies are able to protect themselves through their own Legislatures, and as the people of India have not a domestic Legislature to protect them, I have always held it to be the duty of the Secretary of State for India to protect their interests against any pressure in this country for English interests.

I object to the policy of my noble Friend because he has departed from the old recognized policy, and, against the views of the Government in India and of the people in India, has given directions for the abandonment of a a considerable and increasing source of revenue, and, further, that in giving those directions my noble Friend has adopted a tone in his despatches little calculated to promote good feeling and harmony between the Government of India and the India Office, or to induce the people of India to acquiesce in our rule with that willingness which hitherto they have generally manifested.

I will take the two questions in order. To any one acquainted with India I need hardly say that the subject which has always caused most anxiety is the financial state of the country. The financial state of England is sometimes a source of anxiety, but I do not hesitate to say that in India it must be a constant source of the greatest anxiety. Why is that so? First, the expenditure of India is almost sure to increase more rapidly than the income; next, part of the revenue is very precarious; and, lastly, it is almost impossible to levy a new tax. A large portion of the income of India is derived from the land revenue, which is not a tax in the ordinary sense of the term. It is rent settled in perpetuity, or for terms of 30 years, and must rise very slowly, as, indeed, is the case with the other sources of income.

Now, as to the expenditure. The Mutiny almost doubled the debt. Of late years a system has been introduced of borrowing largely for public works. If those works should prove reproductive—should the receipts from them be sufficient to pay the interest on the capital—there would be no increase of the public burdens on account of those works; but as far as my experience goes the reproductiveness of those works is both doubtful and slow. The first use to which any surplus should be applied is that of keeping down the public debt. In other respects the expenditure must increase considerably. The whole cost of living in India has risen. We are now improving the condition of the British Army. That improvement must be extended to the troops serving in India, and the cost of so extending it and of improving the barracks must be borne by India. The cost of the Civil administration must increase in like manner. We know what the Civil Service Estimates are coming to in this country; but the necessity for improvements causing greater expense in that service must be much more pressing in a country like India. The expense of the police and the gaols is perpetually increasing. Within the last few months, I might almost say, another source of increased expense to India has grown up in consequence of the diminution in the value of silver. I am afraid that this must result in a very large increase of the public expenditure. The revenue is raised in silver rupees, but the same nominal amount will not be of the same real value, and it may be necessary to raise the salaries of the public servants in India. There can, however, be no question as to the effect on the remittances to England. Nearly £15,000,000 is paid in England by the Government of India. The means of payment will be raised in depreciated silver—the payment must be made in gold. A larger amount of silver will therefore be required, and I cannot put the not improbable addition to the charge on the revenues of India from this cause at less than £1,500,000 or £2,000,000. In this state of things, surely common sense would suggest that, whatever sources of revenue there are, they ought to be preserved unless they were in themselves very objectionable. My noble Friend the Secretary of State denounces the duty on cotton goods as protective and oppressive, and has been reading lectures on political economy to the Government of India, who were free traders long before we were. Let us see how far these duties are protective. Before the Mutiny the ruling rate of duty on articles imported into India was 5 per cent. At the time of the Mutiny, when the Government was in great want of money, that duty was raised to 10 per cent; but in 1861, which was as soon as circumstances admitted of the alteration, the duty on cotton goods was reduced to 5 per cent, while the duty on all other goods imported was continued at 10 per cent. With this reduction and a lower valuation no complaint was heard of protection. It is quite true that circumstances have changed since then, and that in 1873 a steam mill for the manufacture of cotton goods was set up in Bombay. The number of mills in India has increased up to the present time, and the lower description of goods made in India may have to some extent excluded the same sort of goods made in Manchester, on which the 5 per cent duty is paid. There is, however, another cause operating against the Manchester goods. It is certain that some of the cotton goods sent out to India are of a much inferior description to those manufactured in India. In the former, the quantity of gypsum sent from Leicestershire for the purpose, and introduced with the cotton, is very considerable; whilst a Mr. Robinson, a cotton spinner at Glasgow, who was sent over to visit the Indian mills, reports that from 10 to 20 per cent more cotton than is usual is put into the goods made there. In 1872, 75 per cent of this description of goods sent to Shanghai were unsaleable. This being the case, it is not surprising that a preference is given in India to goods manufactured there over those imported from Manchester. It is very doubtful, therefore, whether the duty on Manchester goods really acts as a protective duty, and, indeed, the noble Marquess himself in his despatch of July says that as against the Lancashire manufacturers the effect of the 5 per cent duty is insignificant. But whatever the amount of protection may be, the imposition of an equivalent excise duty on the goods manufactured in the steam mills of India would remove all cause of complaint against the import duty. Is the duty oppressive on the people of India? It is difficult to prove any tax to be a good thing in itself, but as revenue must be raised, the only practicable course is to choose the least objectionable tax. It is also a maxim of taxation that if you have to raise a considerable sum of money, you must levy it on as large a number of people as possible, and, of course, upon something which they consume. Now, as regards taxation, the people of India are certainly in a very happy condition, because as a people they pay as little taxes as can well be conceived if there is to be taxation at all. The great mass of them—in round numbers 200,000,000—pay no taxes except the import duty on cotton goods and the tax on salt. In this country the man who does not pay duty on one thing pays it on another. The man who does not drink spirits drinks beer or smokes tobacco; but in India there is no item on which the people ever pay duty, except on the cotton goods imported and salt. If their condition improves, they get gold or silver coins, which they manufacture into gold and silver ornaments, but there is no duty on gold and silver. I believe that this tax in the shape of the import duty has been borne willingly by the people, and a duty of £800,000 levied on 200,000,000 of people can scarcely be regarded as oppressive. Indeed, the best witness against the duty being either protective or oppressive is the noble Marquess himself. Having committed himself more than a year ago to the people of Lancashire and denounced this duty, he has declaimed in his despatches against protection, and in favour of the settled free-trade policy of this country; but when he comes to apply these principles to practise, his good sound sense comes into play, and he says, in his despatch of July 15, 1875—

> "If it were true that this duty is the means of excluding English competition, and thereby raising the price of a necessary of life to the vast mass of Indian consumers, it is unnecessary for me to remark that it would be open to economical objections of the gravest kind. I do not attribute to it any such effect."

Nothing can be more conclusive. It is not protective because it does not exclude English competition; it is not oppressive because it does not raise the price of a necessary of life. On these grounds, therefore, there does not appear to be any good reason for repealing the tax; and the Government of India taking the same view of it as is stated by the noble Marquess, did not, in dealing with the tariff, make any change in this duty, stating, at the same time, that if it was shown to act as a protective duty, it might be necessary to impose an equivalent excise duty on indigenous mills. They abolished the export duties on many articles of Indian produce, of which the noble Marquess has approved; they lowered the valuation of cotton goods, and reduced the import duty on various articles, and thereby brought the ruling rate of duty on general imports down to the old normal rate of 5 per cent. What is the financial result of what has been done? The total loss of revenue by the reductions is £308,000; of which £173,000 was the loss on exports and £88,000 on the reduced valuation of cotton goods. Those two items make £261,000, of both of which the noble Marquess approves, and which sum, taken from the £308,000, reduces the loss by the decrease of the import duties to £47,000, which the Indian Government, judging from the experience of the reduction in 1864, hope soon to recover.

The Government of India say that they could not spare the amount of revenue derived from the duty on cotton goods; that any substitute was more objectionable; that if it was shown to be protective, the remedy was an internal excise duty, and that it was not felt to be an oppressive tax on the people of India. My noble Friend however thinks that this duty on cotton goods ought to be entirely removed. He has expressed that opinion to the people of Lancashire and he expressed it to the Governor General of India, and repeated the order for its repeal in a despatch dated the 11th of November, 1875. The most extravagant Free-trader could scarcely have used stronger language than my noble Friend used in a despatch in reference to applying to India the recognized policy of England, and after some qualifying words as to guarding the finances of India, concluded in the following words:—

> "The entire removal of the duty should, however, not be adjourned for an indefinite period, but provisions should be made for it within a fixed term of years."

My noble Friend has written a Minute to explain what he has written in a despatch, saying that he only ordered the repeal of the duty when the revenue of India could spare it, and that he had not said anything of a new tax. This, however, is inconsistent with the words of the despatch which went to India. If the removal of the duty depends on the condition of the revenue of India, it must be at an indefinite period, for even my noble Friend cannot foresee the time when the progress of revenue will enable the Government to take off the duty. It is, according to the noble Lord's orders, to be taken off, not at an indefinite period, but in a fixed and no very long term of years. As I read the order conveyed in the despatch it amounts to this — revenue or no revenue, the Indian Government must make provision for the repeal of the tax within two or three years. Well, if there is no surplus to supply the place of that duty, of course, there must be another tax. What else can the Indian Government have understood by the instructions sent them from the India Office? There is no qualification in the despatches to India. The noble Marquess denounced the duty to deputations here; in the despatch of July he declared that it could not be permanent; in November, that it must be repealed in a fixed term of years. I can put no other meaning on his words. One other reason my noble Friend has assigned for the repeal of the duty on cotton goods. Having clearly expressed his opinion that it was neither protective nor oppressive, he says, in his despatch of July, that there is a political reason why it should not be permanent —namely, lest it should raise a feeling of animosity on both sides by putting the interests of England in antagonism with those of India. Now, I should like to know how a feeling of antagonism is to be raised by this duty. There can be no feeling of antagonism entertained by the people of India on account of it, because they are contented with it. On the other hand, as the noble Marquess has stated that it has not the effect of excluding British manufactured goods from India, why should it raise any feeling of antagonism in the minds of the people of this country, or even of the manufacturers of Lancashire? I am afraid that what my noble Friend has done by his despatch is far more likely to produce a feeling of antagonism than a retention of the duty. How stands the case? The Government of India, the commercial community of India, and the people of India are of opinion that it is for the interest of India that the duty should be maintained, rather than that another tax should be imposed. My noble Friend is of opinion that provision should be made for the repeal of the duty within a definite time. In fact there is the opinion of the Government, the mercantile community, and the people of India on the one side, and the opinion of the Secretary of State for India and the Manchester Chamber of Commerce on the other. I do not see how antagonism can be more strongly marked. I will not use any words of my own to describe such a state of matters. I will quote the words of Mr. Laing on this subject, addressed some years ago to a committee of gentlemen at Manchester, who urged the repeal of these duties. Mr. Laing was a thorough Free-trader, he had been Finance Minister of India, and understood the financial state of India, and he had reduced the duties on cotton goods in 1861 from 10 to 5 per cent. Mr. Laing afterwards came home to this country, knowing the state of India and of its finances thoroughly, and he went to Manchester and had an interview with a body established there to promote the entire repeal of those duties. After he left Manchester Mr. Laing addressed a letter to that body, in which he says—

> "The import duty is scarcely felt at all, while the direct taxes involved an inevitable amount of oppression, extortion, evasion, alarm, and discontent which made them intensely unpopular. If India is to be retained in peaceful and loyal allegiance to the British Crown, these matters must be looked upon in an Indian as well as an English point of view, and the interests, the wishes, and the feelings of 150,000,000 of inhabitants must be the primary consideration in deciding how to raise the necessary revenue. I believe the Indian Government and the whole Indian community would oppose it, and I cannot for a moment imagine that any Secretary of State would think of sending an order to India for a purely English object, overruling in such a manner the unanimous wish of India. If he did, he would deserve to be impeached, for it is perfectly evident that he would be a far more formidable enemy to the British Crown than Ferozeshah or Nana Sahib."

I turn now to the other branch of the subject. My noble Friend opposite has not only ordered the Government of India to do that of which they and the whole Indian community disapprove, but he has given orders and treated the Government of India in a way which I must say is not calculated to promote harmonious feelings between the two Governments, or to reconcile the people of India to our rule. In his first despatch the noble Marquess directs that drafts of Bills, with their objects and reasons, should be transmitted to him by the Indian Government for his consideration. I have no objection to the purport of this despatch. In July, 1863, the Government of India itself passed a resolution, directing that drafts of all Bills to be submitted to the Governor General's Council, with their objects and reasons, should be transmitted to the Secretary of State; and in December, 1863, I expressed my entire approval of the course then adopted, and desired that it should be continued. I cannot say that every Bill, whether of little or of much importance, was so transmitted; but I have no doubt that the practice has been continued by the Indian Government in pursuance of its own wish and intention. My noble Friend, however, appears to have found out in about a month after he came into office that they did not do what they had always done before. Surely it would have been enough simply to desire them to revert to the usual practice. Instead of that the noble Marquess sent the most peremptory orders, extending the rule even to Amendments that were proposed to be made in Bills by the Council of the Governor General. Some liberty was however left to the Governor General, and he was not required, in an urgent, case, to send the Bill home. Of the urgency he was left himself to judge, and surely this was no unreasonable liberty to leave to a person in so high and responsible a position as the Governor General of India.

Lord Northbrook, availing himself of that permission, passed the Tariff Bill at Simla. I admit at once that, as a general rule, this is an objectionable proceeding, except under special circumstances.

Let us see then if the circumstances were such in this case as to justify the proceeding. The noble Marquess has found fault with Lord Northbrook for having so done upon two grounds. The first ground is, that he had acted without the advice and knowledge of persons possessing other than official experience, and that it was exceedingly desirable to have the assistance of mercantile councillors in such a matter, who, as the noble Marquess seems to think, are only to be found at Calcutta. If, however, we examine the circumstances under which the measure was taken, we shall find that this objection actually amounts to very little. How did the question originate? The Government of India, in order to carry out some views expressed to them by my noble Friend as to the valuation of goods, appointed a Tariff Committee, and the measure which was ultimately passed was passed, in fact, upon the recommendation of that Committee, which consisted of men as competent to represent the views of the whole commercial community of India as any men well could be. The Committee included, with others, two Members of the Legislative Council, one of them a merchant, the collector of Customs at Calcutta, and the Chairman of the Chamber of Commerce in Bengal. The Chambers of Commerce at Madras and Bombay did not think it worth while to send one of their members, but communicated their views fully in writing. The Committee agreed unanimously except upon some details as to the amount of duties, and the Tariff Bill embodied their recommendations. The Governor General's Council comprised 16 members; 10 were actually present, and 12 had expressed their approval of the proposal. Though the Council did not sit at Calcutta, it had before it the opinions of the non-official Members, and it also had in a shape, far better than it could have had them from the outside opinion of Calcutta, the views of the whole commercial community of India as represented in that Committee, and since confirmed by the unanimous assent of the people of India. The other ground of blame was that the urgency of the case was not such as to justify the course which was taken; but the truth is that the stagnation of trade, in consequence of the uncertainty as to the intentions of the Government, and urgently represented by memorials from Calcutta, and the necessity of dealing with the valuation, were grounds enough for the proceeding; and the Government of India further remark—in which my recollection confirms them—that it never has been the practice to send home from India Bills on the subject of duties to be levied in that country. I think, therefore, that there is no foundation for blaming the proceedings of the Government of India.

Having disposed of the two grounds on which the noble Marquess has blamed the Government of India, I come to the general directions which he has given.

Nobody can have a stronger opinion than I have of the necessity of the fullest and most unreserved communication between the Government at home and that in India. It is essential to the harmonious working of the Government of India. But I confess to having a strong opinion in favour of its being mainly carried on by unofficial correspondence. Views are in this way more easily and fully developed, differences are more easily adjusted than in formal despatches. When the Secretary of State, with his Advisers here, and the Governor General, with his Advisers in India, have come to an agreement, then a public despatch should record the decision. It is most undesirable that controversies between two Departments should be carried on in public despatches, and that differences which disappear in the end should meanwhile have been brought before the public. It lowers the authority of the Government, and that should be especially avoided in India. During the time when I was Secretary of State, and Lord Canning was Governor General, most of the great measures of re-organization after the Mutiny were passed, some in Parliament, some in the Governor General's Council in India. On looking over my correspondence with Lord Canning at the time, I find that Lord Canning communicated his opinion on my measures, and I communicated my opinion on his measures in the most open manner, and the result was a complete understanding and agreement between us.

The noble Marquess's despatch of November requires that even in the case of an emergency the Governor General should in the first instance communicate with the Secretary of State by telegraph. It is almost impossible that the Governor General should be able to state in a telegraphic despatch all the circumstances and all the reasons for the conduct he proposes to pursue; and any instructions which the Secretary of State may give to the Governor General as to the course he should pursue on the receipt of such a despatch would most probably be founded on imperfect information. A more dangerous course I can hardly imagine, even if, in all cases, it should be possible.

Taking the two despatches together, and the tone in which they are couched, they seem to me to reduce the Governor General to the position of a mere tool of the Secretary of State, and instead of a general superintendence of the government of India, to transfer the administration of Indian legislation from the Government of India to the Secretary of State in Council. I do not question the power of the Secretary of State to do so: he must in the ultimate resort be supreme, and nobody has stated more highly than I have done the power of the Secretary of State. I did not obtrude such opinion on the Government of India; they asked me what I considered my power to be, and I could not decline to answer them. The question arose out of a very exceptional case. In 1864 a Bill was introduced into the Indian Legislative Council by a Civil servant, not himself a lawyer, to amend an admirable penal code which had been framed by a Commission composed of very able men and accomplished jurists in this country, who had devoted their time and labour, without fee or reward, to the framing of that Code and other legal measures for the benefit of India. It was a question of general law, and not one in which local Indian knowledge was of much avail. Some of the Members of the Commission remonstrated against their work being so altered, and, thinking them perfectly right, I wrote to the Government of India, desiring them to consult the Judges of India on the subject, and to send to me the opinion of the Judges, together with their own, that I might communicate with the authors of the Code; and suggesting that, in the meantime, they should suspend their legislation on the subject. The Government of India took that opportunity of raising the question—what was the power of the Secretary of State? In reply, I told them that I conceived that the Executive Government of India was as completely under the control of the Secretary of State as it had been under the old Court of Directors, and that it was bound to obey any directions given by him. But I added—

> "I have always abstained, however, from giving any direction upon such subjects; I have confined myself to suggesting the course which I thought desirable; and it seems to me that this is a course altogether unobjectionable. Your despatch refers to the power of the Secretary of State to disallow any Act passed by the Governor General's Council when assembled for purposes of legislation; but surely it is more courteous, and more calculated to maintain the character and dignity of the Council, that the Secretary of State should suggest to the Executive Government to suspend, and even to withdraw a Bill, than leaving them to proceed without any intimation of his opinion that he should ultimately disallow it. In the course which I have taken on this and on former occasions I have always been anxious that the communications between the Home Government and the Government of India should be so conducted as to insure the most harmonious action between them. It is obviously most conducive to a good understanding that extreme claims should not be put forward on one side or extreme rights enforced on the other; and I cannot entertain a doubt but that with an earnest desire on the part of the various bodies among whom the different parts of the Government of India are distributed to maintain harmonious action, the well-being of that vast and important Empire may best be promoted."

I do not think that I could have written in a tone more courteous or more calculated to promote harmonious action between the Government at home and the Government in India. I grieve to say that I cannot think the tone of the noble Marquess's despatches calculated to promote such harmonious action. I confess that on reading them, a painful question arose in my mind as to the effect which would have been produced by them on some of the great men who have ruled India. Our Empire there has been formed and maintained by distinguished statesmen, who never shrank from responsibility in times of difficulty and danger. Without going further back, what would have been the effect on Lord Dalhousie, Lord Canning, or Lord Elgin, three men who had been Cabinet Ministers here, and had shown themselves in India and elsewhere fully capable of government? What would have been the effect on my noble Friend behind me (Lord Lawrence), to whose resolution and energy we owed the safety of Upper India, and the capture of Delhi, which was the turning point of the Mutiny?

I say nothing of Lord Northbrook. He is a personal friend of mine. I do not know what his opinion may be, for I have not heard a word from him on the subject. Fortunately for himself he had resigned before he received the despatch of November; but I can hardly doubt of his being glad to escape from so humiliating a position.

Again, what a discouragement such a proceeding must be to such men as ought to be sent out to govern our Indian Empire? Men of high position and character would shrink from exposing themselves to such treatment.

But beyond even this, it could not but have a most prejudicial effect in lowering the position of the Governor General in the eyes of the Princes and people in India, and in teaching them to look to England and not to the Government in India. We must never forget the anomalous character of our Empire in India, where a few thousand Europeans rule more than 200,000,000 of the Natives of the country. Upon the whole the people look up to our officers as their friends and protectors; but it is most essential to maintain the character of those officers and especially of their head, the Governor General, the impersonation of British rule in India.

Here the people look up to the complex machine which constitutes the Government, but to the Oriental mind of the Native the Government is the person whom he sees. His fear, or reverence, or love, is to the person. If the Ruler is discredited, the influences which produce loyalty and cheerful obedience are weakened. If he is known to be powerful, and believed to be kindly disposed, he is cheerfully obeyed, and looked up to with a kind of superstitious reverence.

In one instance, I acted without previous communication with Lord Canning. I increased by a few thousand pounds the allowance to some native Princes. Lord Canning, who was not a vain man, or tenacious of his position, thought that I had impaired the authority of the Governor General. He recorded a public Minute, of which I will read a short extract—

> "I am convinced that to hold India well in hand the influence of the Governor General ought to be increased, and not diminished in the eyes of the natives, and that weakness will result to the Government of India by attracting their attention and their hopes from India to England."

In private he wrote more strongly and told me that I had shaken the authority of the Governor General in the eyes of the people of India.

If he thought the evil effect so great in a very small matter, what would he have said on the receipt of such despatches as the noble Marquess has now addressed to the Governor General, and which will be known through all India?

I have no fear for our Government in India—our military power has been shown in the Mutiny—but we ought to neglect nothing which tends to keep up our visible supremacy, and to maintain that mixed feeling of awe, reverence, and affection for the Representative of the Sovereign of England, which may go far to render unnecessary any recourse to extreme measures in India.

THE MARQUESS OF SALISBURY: My Lords, the noble Viscount has called in question the two despatches of the 11th of November and of the 31st of March, 1874, issued by the India Office, and also the policy and the points of procedure indicated by those despatches. I think it would be convenient if I were to follow his example in taking them in a separate form; and therefore, putting aside for the moment all those comments upon my conduct with which I will deal hereafter, and the conduct of the Governor General in Council, I will deal simply with the policy of the Indian tariff, which was called in question by the despatch of the 11th of November last. The noble Viscount has very judiciously avoided dealing with one of the most important matters relating to this subject. He tells us that we have condemned the policy of the Governor General in too severe terms; and that that policy was based upon the Report of a Committee representing all the commercial communities of India:—and in proof of that assertion he cites in his favour the authority of the collectors of Customs at the out-ports. I never heard before that the collectors of Customs were the representatives of the commercial communities of India. But the noble Viscount has entirely omitted to notice one enactment of the Governor General of vast importance, and which, if it stood alone, must have called for the disallowance of the India Office, it having been universally disapproved by every voice that has spoken in India, and in behalf of which I have not heard one voice raised in England. Among the measures which the Governor General passed was one imposing a 5 per cent duty upon raw foreign cottons — in order, as he said, to protect Manchester from the possible competition of Indian mills with regard to the finer cotton goods. I venture, on behalf of the Manchester manufacturers, of whom the noble Viscount appears to have so poor an opinion and in depreciation of whom he appears to have devoted so large a portion of his speech, to say that they do not want that protection. To adopt such a system would be to reverse the entire policy of this country, and would be an attempt to abandon the principle which has been carried into effect by almost every foreign country of late years. I say that that course was adopted without the sanction or the advice of the mercantile community; and it remains a glaring instance of the gross impolicy of legislation on subjects of this character in violation of all the usages by which the Legislative Council of India has been guided. Had it been proposed at Calcutta instead of at Simla, it never would have been passed into a law. The noble Viscount having judiciously evaded the question of imposing duties on raw cotton, proceeded to deal with the duties upon cotton goods. And here I must complain that he has been most persistently setting up his own adversary for the purpose of knocking him down. He has urged that it is very wrong to adopt a course that will result in a deficiency in the Indian finances; that it is very dangerous to impose new taxes on the population of India. He entirely ignores the fact that we never hinted at new taxes, and that in the most earnest language we have warned the Government of India against any conduct that would involve the Indian finances in a deficiency. On this point I must be allowed to read my own words, and I will ask your Lordships whether they do not clearly sustain what I say as to the subject of avoiding a deficiency. In my first despatch, I say—

> "These considerations will I doubt not commend themselves to your Excellency's mind the policy of removing at as early a period as the state of your finances permits this subject of dangerous contention."

And in my second despatch, I say—

> "This abolition should be gradual, and, in deciding upon the mode in which it should be effected, the period which will be necessary for its completion and the accompanying measures which may be requisite, the paramount importance of guarding the Indian Treasury from financial embarrassment must be borne in mind."

Is it possible to state in stronger language than I have done the importance of guarding the Indian Treasury from exposure to financial deficiencies? The noble Viscount has laid down as a maxim of State that you should keep every tax you can hold. But what have his friends been doing? The most striking part in the sudden change in the tariff was flashed upon us, to our surprise, on the 5th of August by a telegram stating that £400,000 of taxes had been repealed. The noble Viscount has accused me of intending to levy another new tax. I can only say that no such intention either exists or has existed, and that to assume any such intention on the part of either the Government or myself is perfectly gratuitous on the part, either of the noble Viscount or any other person who expresses an opinion on the subject. If any other tax had been suggested in lieu of the cotton duty, I should have expressed my strong objection to it; but no such suggestion is made in either of the despatches which are now under consideration. Reference has been made to the dissent of Sir Erskine Perry; and on that subject I can only say that I was not aware of the existence of such dissent until my attention was called to it by the Under Secretary, and I then, following custom and precedent, entered a Minute of the dissent in the usual record. In proposing to deal with the cotton duties we warned the Government against running into a deficiency, but we gave no hint of raising a new tax. It may be asked how the cotton duties are to be removed in the course of a series of years?—and in answer to that question I would say that for many years past the revenue of India has been rising. Since the noble Viscount left the India Office, for instance, the revenue has risen to the extent of about £5,000,000, or £500,000 a-year. I find from Lord Northbrook's account of the various surpluses that in 1871-2 the surplus was £3,000,000; in 1872-3 it was £1,700,000; and in 1873-4 it was £2,071,000; in 1874-5 it was £1,800,000. It is obvious, therefore, that, with a rising revenue and a fair allowance of time, a tax like that on cotton can be abolished without either creating embarrassment or rendering it necessary to levy any new taxes. We have, therefore, pointed out to the Indian Government our views of the manner in which their surplus revenues should be applied, our opinion being that the application should be in the direction of reducing or abolishing those taxes to which, on fair and reasonable grounds, the strongest objections could be made. What, then, is the objection to the tax? And in answering this question I must take exception to the way in which the noble Viscount has quoted from me. He imputes to me a statement that the effect of the 5 per cent tax is insignificant. What I actually said was that, in presence of other circumstances affecting the trade, it was an exaggeration on the part of the Lancashire manufacturers to imagine that the falling off in their trade was mainly due to the 5 per cent duty. If the noble Viscount had quoted another passage in my despatch, he would have seen that I asserted in very distinct terms that the tax was on general principles liable to objection as impeding the import of an article of first necessity, and as tending to operate as a protective duty in favour of a native manufacture. Notwithstanding this, the noble Viscount has informed your Lordships that I described the tax as not being a protective duty—and I can only say that if an adversary's despatches are to be dealt with in this way, he can be made to say absolutely anything. I must say, further, that I am not a little surprised to find this protective duty defended by noble Lords on the other side of the House. It is surprising to find the interests of English manufacturers treated as matters of small account; but I am the more surprised to find the noble Lords who so treat the matter desiring that no steps should be taken to check India, which at some unknown period was the Apostle of Free Trade, when she wanders in the direction of Protection. The noble Viscount repeated over and over again that he was expressing the opinion of the people of India:—but I should like to know how he has ascertained that opinion. The fact is, that the vast majority of the population of India are politically dumb, and that what my noble Friend describes as the opinion of the people of India is simply the opinion of the Bombay millowners, who are strongly in favour of a protective duty. The Bengal Chamber of Commerce, which may be taken as a fair representation of Anglo-Indian thought among the mercantile community, have declared themselves opposed to Protection, and have stated that they would gladly see the time when the state of the finances would allow of the total abolition of the import duty on cotton goods. I do not know what the result of a *plébiscite* would be, because it would not be easy to convey to the minds of Indian peasants refined principles of economic science; but I have no doubt as to what the result would be if it could possibly be made clear to such persons that the effect of the tax is to increase the cost of their few necessaries of life. It has been suggested that the tax on salt should have been chosen as the one to be partially remitted: but on that subject there is much to be said. The total income derived from the tax on salt is so large that a remission to the extent of £800,000 would not benefit the consumers to any appreciable extent; and, further, the duty on salt is not protective, by reason of the fact that it is the same whether the salt be imported or produced in the country. On these grounds, therefore, it has been thought that the import duty on cotton is the one which should be remitted or reduced. Thus far—although I will not consent to look upon Lancashire interests with the contempt with which they are regarded at the other side, although I cannot admit that in dealing with an Empire we are entitled to disregard the interests of any portion of that Empire—although, to my mind, the Empire is one, and if any part of it suffers every part must suffer, and equal justice must be meted out to all—still I think that this is more an Indian than a Lancashire question, and that it is the Hindoo, the first necessities of whose life you will make cheaper, and not the Lancashire manufacturer, whom you will principally benefit by a remission of this duty. But is there no greater—no more Imperial reason? What has been the course of your diplomacy? Are not your diplomatists everywhere struggling with tariffs—everywhere maintaining a difficult and unequal fight? The only weapon we have to use is that we have tried the system, and that we have found it to answer; that it has given to us prosperity, and that we heartily confide in it. But if foreign Courts are able to say, "You come to us with an untrue pretence. When the popular feeling is in favour of Free Trade you undoubtedly adopt it; but when you are not so certain of that result—when, in fact, your condition is like ours—then you, like us, maintain protective tariffs." Would not that inevitably destroy our moral authority and weight when we urged on the removal of those protective and prohibitory tariffs which do so much to check the prosperity of producing countries? My Lords, this consideration has led me to feel that those are wrong who treat this as merely a local question. To say that it ought to be left to merely Indian authorities is, in my opinion, a mistake. It is an Imperial question of high importance, and ought to be dealt with on Imperial grounds. The noble Viscount referred, my Lords, to another reason which is urged in my despatch, which I dealt with at length there, but will dismiss briefly here. I could not help being impressed with the rapid growth of those mercantile communities in India—and in all I did I may say I spoke for myself and my Council too; for in this policy we were unanimous.—I could not help feeling that if those communities increased with the rapidity which appeared to be probable, and if they grew up strongly attached to protective duties, which duties the manufacturing communities of England would be bound by their interests as well as by their economic faith to resist to the uttermost—then there was reason to apprehend that when those small communities became great, a difference of opinion would arise among men of white race which might lead to danger. I believe there is no object of more importance in the eyes of the Indian statesman than the removal of grounds of difference and contention between the White rulers and those vast millions of subject races, who, while they are united, will undoubtedly submit to us, but whose allegiance may be doubtful if the ruling English race were riven in two by some deep and dangerous difference on policy. If ever there is a danger to the English rule in India—a subject upon which some friends of the noble Viscount appear to dwell with more satisfaction than he does—if ever there is such a danger, you may depend upon it it will not be from any resistance from the subject races, but from divisions in the race which rules. On this ground, my Lords, I felt that it was important while it was yet time—while the communities in India were yet young—to remove from them a cause of division, which, if once swept away, they will be the first to appreciate, but which if left might cause them to grow up with perverted views. And now we are, on the ground on which I and my Council unanimously in July last agreed, to recommend to the Government of India, that at the earliest opportunity consistently with the state of their finances those duties should be swept away. And now, my Lords, for the question of procedure—the circumstances under which the despatch of the 11th of November was written. As your Lordships know, the Government of India had been instructed in March, 1874, to send home to us information of any important and non-urgent Bill which they intended to introduce. I will not now stop to ask whether that instruction was a wise one or not. It is sufficient that it was received without protest by the Government of India, and whether wise or not they were bound to act upon it. Well, what happened in August was this—The Government of India knew what the policy of the Government was, for it had been announced on several occasions. The ordinary practice was for the Budget to be brought forward in March or April in Calcutta. For that there are two reasons. Parliament has thought fit to entrust the legislation of India to the Government of India, joined to certain additional Members, who are selected for that purpose; and it is provided that half of these must be non-official—the clear intention of Parliament being that the Government of India should have a large amount of non-official assistance and advice in dealing with questions in reference to which they could not be expected to have had experience themselves. Of course these men live in Calcutta. Simla is a mere excursion ground—a shooting lodge of the Government of India. I mean to say it is not a recognized home of Government. We have never recognized Simla other than as merely a residence of the Governor General of India—a small place, lofty and inaccessible. It is two long days journey from Calcutta. If not actually foreign territory, it is surrounded by foreign territory. Well, the Budget statement had been drawn up at Calcutta; and when it had been published the Government went to Simla. We had no idea that any intention to remove taxation or to revise the tariff was at hand. My noble Friend (Lord George Hamilton) was on the eve of making his statement to Parliament as to the Budget arrangements as they existed. We had conveyed no orders to the Government of India on the subject of taxes, because we trusted to the instruction that all legislation which was non-urgent and important should be communicated to us. Well, early in August, without the slightest intimation, public or private, to us or to the people of India, that such a thing was in contemplation, the Legislative Council was assembled; all the non-official members being naturally absent; the Standing Orders were suspended, and on the same day the new tariff was read a first, a second, and a third time, and passed into law. Now, the noble Viscount has been pleased to condemn the language in which I spoke of that Act; but is it possible to conceive anything more unseemly, or more calculated to bring the Government of India into contempt—is it possible to conceive anything more likely cause a general distrust than such legislation? It is said that this tariff was an urgent matter, because the Bengal Chamber of Commerce had said that their interests were suffering from the revision of the tariff being delayed. Well, I will read what the Bengal Chamber of Commerce said, in order to show how wholly without foundation that assertion is. They say—

> "The Committee considered it necessary to advert to the passing of the Tariff Act, an Act which so extensively affects the non-official community at Simla, where the non-official members of Council could not make their voices heard; and they learnt with regret that their repeated applications for a revision of tariff values, which needed no new legislative measure, but could have been effected by a simple notification of the Governor General, had been construed into acquiescence of a procedure which not only nullified any representative character the Legislative Council may possess, but which was also at variance with the rules for the conduct of business in the Council laid down by the Governor General in February, 1873."

Now, my Lords, the noble Viscount used strong language as to the phraseology of my despatch. It is impossible to dispute with the noble Viscount upon a question of style; but I commend those who care to solve such a controversy to read my despatch in comparison with some despatches which were published at the same time as my noble Friend's own. But I will say this with respect to the language of those despatches—I do not wish to put away from myself any responsibility—I am responsible for them; but I appeal to the opinion of experts. The Council of India, if they know anything, know the language of official letters. They have passed their lives in writing them and receiving them, and it is perfectly impossible that anything which they have carefully considered should escape their notice if it was a breach of official propriety. Those despatches were considered by them in the ordinary deliberate manner. They were examined by the proper Committee of the Council, who suggested such alterations as they thought fit. They were considered sentence after sentence in the Council, and never from the time they were drafted to the time they were sent to India did I hear it suggested that they were in the least degree uncivil or unseemly in manner. The question of style is no doubt of some importance. The noble Viscount may have been accustomed to use such sweet and delicate language that no other style can be borne by him. I have, however, heard whispers of what used to be said at the Council table of Lord Canning when the noble Viscount's despatches arrived. I will not, however, rake up old stories of that kind. What I want to insist upon is that these despatches passed before those who were quite competent to correct them if they were wrong, but that no suggestion of the necessity of any alteration was made by them. I wish to know whether you are really going to lay down the principle that whatever the Governor General of India does the Secretary of State is not to blame him? If the Secretary of State is only to write an official echo to all that the Governor General says—if he is to approve all that he does—then you are laying an undue burden on the finances of India by maintaining the India Office at all. It would be much better to enact that the Governor General is a Sovereign and independent Power, and that he is to do precisely what he thinks fit; and then he might keep some representative at this Court and inform my noble Friend the Foreign Secretary what measures he has adopted. You must have either one theory or the other. You cannot have the doctrine that the Secretary of State controls the Governor General unless you at the same time admit that the Secretary of State may blame him when he is wrong. Of course it is done at some risk when the Governor General is the political friend of those who sit on the other side of the House. Now, my Lords, I have been further blamed by the noble Viscount, not only for reproving the Governor General without cause, but also for sending that despatch of March, 1874, which directs that all measures brought before the Legislative Council shall be sent home to the Secretary of State for India to be examined. I do not think that your Lordships or the public know the precise state of things which made that direction necessary, and out of which it arose. The present legislature of India is imperfect and fragmentary. Originally an India Law Commission was appointed, whose duty it was, sitting in England, to prepare a body of substantial law, which was afterwards sent to the Governor General and the Legislative Council to enact. Of course the existence of this body reduced the functions of the Legislative Council to very humble dimensions. The new Indian law was prepared by the India Law Commissioners in England, and only matters of minor importance were dealt with by the Legislative Council of India. From the first, however, these two halves of the legislative machine could not go on harmoniously, and there was always a difficulty in inducing the Legislative Council to enact the law sent out to them. That difficulty occurred in the time of the noble Viscount himself, and then the prerogative of the Secretary of State in regard to legislation was laid down in language so strong and stringent that anything I have said could not go so far. What says the noble Viscount?—

> "The action of the Government in this country, in respect to what is called a Government Bill, is perfectly well known and recognized. It is introduced with the authority of the Government, is carried on, or postponed, or withdrawn on the responsibility of the Government, and the action of the Government in this country in respect to a Bill introduced by any Member of Parliament is guided by the same rule. I apprehend that the action of the Government of India must be considered in precisely the same light, and that the control of the Secretary of State extends to this, as to every other action of that Government."

Now, the noble Viscount made a great deal of the fact that he never used this power; but I do not understand the use of an abstract power which is never to be employed. I do not say it should be frequently used, but the mere assertion of a power that is never to be employed appears to lead to an idle termination. But although the noble Viscount did not use the power, his Colleague the noble Duke (the Duke of Argyll) shortly afterwards did so. When the noble Duke was in office the same difficulty arose. The India Law Commission prepared a body of law which was sent out to the Legislative Council, and which they were requested to pass. But the Legislative Council had something to say for themselves. It was a very formidable law that was sent out, because it raised again that old question of the Indigo riots, which had always inspired the Government of India with apprehension. That Government said that these provisions were dangerous, and sent them back. What did the noble Duke say—

> "You will receive back the chapter from me in the shape in which I think it desirable it should be finally passed into law, and (unless in

case of strong unforeseen objection arising in your mind, which I will not anticipate, but which must then be dealt with according to your discretion as circumstance may require) I shall expect that the measure will be introduced by you into the Council when assembled for making laws and regulations, and discussed there in the stages and according to the forms usual in like cases. And while under consideration by the Council, I shall further expect that you will employ all the usual and legitimate means to secure its passing as a Government measure."

Now, it is impossible to be more peremptory than that. Well, the Government of India resisted. They sent a fierce rejoinder, in which they said—

> "It is enough to say, as to such a course, that it would reduce us to the alternative of either publicly stating that the Bill was introduced, not on our responsibility, but in obedience to your positive orders, or else of defending it by arguments which we did not believe to be sound. Either course would be totally inconsistent with our position as a Government."

The India Law Commissioners resigned. They declined to be made the shuttlecock between two such ferocious battledores. But the noble Duke was not satisfied with that. Although the champion retreated, he delivered a passing volley at the enemy. He said—

> "Neither can I admit that it makes any real difference in the case, if the directions issued by the Imperial Government relate to what may be termed legislative as distinguished from executive affairs. It may be quite as essential, in order to carry into effect the views of the Imperial Government as to the well-being of Her Majesty's Indian dominions, that a certain measure should be passed into a law as that a certain act described in common language as executive should be performed. But if it were, indeed, the case, as your argument would represent it to be, that the power of the Imperial Government were limited to the mere interposition of a veto on Acts passed in India, then the Government of the Queen, although it could resist the passing of an injurious law, would be helpless to secure legislative sanction for any measures, however essential it might deem them to be for the welfare or safety of Her Indian Empire."

The India Law Commission resigned, as I have said, in the middle of this conflict, and the matter was hung up for a considerable time. There was a new Governor General and a new Law Member of Council. But when I came into office I found that a part of the Indian Legislature had disappeared, and there seemed to be no means of influencing from England the legislation of India, except by the peremptory measures indicated in the despatches of the noble Viscount and the noble Duke. In the time of the India Law Commission there was a constant communication between that Commission and the Secretary of State, and every measure was subjected to careful examination in England. But that state of things passed away, and that which Parliament had never contemplated was taking place, and the Indian Legislative Council was left in a state which practically amounted to entire independence of England. I then made a suggestion which was, I think, a moderate one, and certainly far less peremptory than the action of the noble Viscount and the noble Duke. I requested the Government of India, before they introduced a measure, to send it home first, in order that they might hear what suggestions I had to make upon it. In that there was no dictation; I did not indicate an intention to force them to accept any measure; I merely desired that I might know what it was, and that I might offer any suggestions which the experience of my Council, or which English and Imperial considerations might make it necessary to suggest. If, indeed, I had used that power for the purpose of ordering them to pass measures which had been arranged in the India Office, that would have been undoubtedly undertaking in England the legislation of India; but nothing of the kind was ever done or intended. It was only intended we should have an opportunity of offering our suggestions on any particular part of a law before that law was passed and was sent home for disavowal or approval. In the interests of scientific legislation that course was a wise one, because the wise habit of the Government of India had been to pass laws in large blocks as codes; and, of course, if it had become necessary to veto any code when it was sent home the practice of codifying must have been given up. It is not only no encroachment on the power of the Government of India, but it is a much more simple, courteous, and dignified course to have the opportunity of pointing out to the Government of India what portions of a law you might object to, than to wait until it is passed, placed on the statute book, proclaimed in India—and then when it comes home to disavow it. Surely that way of waiting and then disavowing is a mode of bringing the Government of India into contempt, and of bringing into sharp relief the superiority and the supremacy claimed by the Home Government. If there is any doubt whether I was right or wrong I may remove it by reading a few words from an authority the noble Viscount will recognize. On the 31st of March, 1865, Sir Charles Wood wrote—

> "Your despatch refers to the power of the Secretary of State to disallow any Act passed by the Governor General's Council when assembled for purposes of legislation, but surely it is more courteous, and more calculated to maintain the character and dignity of the Council, that the Secretary of State should suggest to the Executive Government to suspend, and even to withdraw a Bill, than leaving them to proceed without any intimation of his opinion that he should ultimately disallow it."

This is what the noble Viscount said in 1865; this is what I am blamed for, and called all the names the Parliamentary vocabulary permits, because I did it in 1874. I believe the noble Viscount is perfectly right; it is the only mode in which collision between the two Governments can be avoided. I am sensible of the difficulty and delicacy of the problem we have to solve in adjusting what must be the supreme power of the Government of England to the requirements, position, and dignity of the Governor General of India; but that adjustment is not to be found in abdicating the power of the Government of England. You cannot, as some people have essayed to do, set up a parody of the Home Rule cry in India; you cannot treat the Legislative Council of nominees with the kind of respect with which it is said we shall some day have to treat an assembly which is to meet on College Green. But language so strange has been held in respect to this matter, and indications of a Home Rule cry are so strong, that I will venture to read a few words written by one who is now dead, but who was closely identified with the East India Company, Mr. John Stuart Mill—

> "From the necessity of the case its power must be exercised by delegation, but the governing country has not the moral right to delegate its power without reserving its control. It cannot discharge its conscience of the responsibility for the good government of India, and charge that responsibility on the consciences of its delegates. It cannot hand over its sacred trust to a few despots, armed with the whole power of the stronger country, but carrying with them no more than they themselves choose of its wisdom or its good purposes."

And in a previous part of the same Minute Mr. Mill said—

> "There are several modes of governing a dependency. The governing country, by its constituted authorities, may itself govern the dependency through agents responsible to it, and bound to obey its instructions. Or, it may allow the dependency to govern itself, under such conditions and with such reservations as may seem to be required either by the circumstances of the dependency, or by the policy of the Empire. In some cases the former of these systems of government is necessary or desirable, in others the latter, in others some combination between the two; the Government being shared in various proportions between the representatives of the governing country and the representatives of the governed. These, however, are not the only modes in which a dependency may be governed; there is a third mode; but this third seems to be the very ideal of badness, the one among all imaginable arrangements of the matter in question which no circumstances could justify, or could render otherwise than preposterous—viz., that the governing country should neither retain the government in its own hands nor resign it, or any part of it, to the people of the dependency, but should make it over to a small number of individuals sent out from the governing country, to be exercised at their discretion, under no control or responsibility except the power of recall."

These are wise words which deserve to be remembered at this time. You cannot, if you will, dissociate responsibility from power. If you complain of anything in one of our colonies which has constitutional government, my noble Friend will answer he has no responsibility, because you have handed over to the colonies the decision of their own affairs. But suppose I in this House or my noble Friend the Under Secretary in the other were to make a similar answer when the Government of India was called in question, we should be laughed to scorn. Neither House would ever accept such a reply as a conclusive answer. Both Houses would say—"You are responsible for what the Governor General of India does." Take this question of the cotton duties. If we had not repealed them, if we had not touched them, but had allowed the Government of India to have its own way, and had sent out a polite echo of the Governor General's despatch—which, according to the noble Viscount, appears to be the first duty of the India Office—we should have been met with a Motion in the House of Commons declaring that it was desirable to repeal the cotton duties in India. We could not have resisted a Motion we think right; it would have been passed by a large majority; and you would have been brought face to face with the fact that the supreme power is here. Responsibility necessarily lies upon the Queen's Government, because they are in the presence of Parliament, and where you have responsibility you must concede power. I do not find the adjustment of this question in any diminution of the power which must be accorded to the Queen's Government in England; I rather find it in the practice of constant and abundant communication. The noble Viscount says private communication is better than public; I am not fastidious on that head; but there must be communication of some kind, so that every measure may be examined in the light of English as well as Indian experience; and the communications need not be public until the two Governments have by explanations arrived at views on which they are able to act in common. That I believe to be the real secret of the successful government of India. But for this end it is absolutely necessary that the Indian Government should not spring surprises on the Home Government. It must not wait till the Home Government has avowed its policy, and then without giving notice, without sending even a telegraphic intimation, without an hour's delay, and in a single day, pass a legislative measure which sets that policy at naught. If such things as that are done, the machinery must be thrown out of gear. I wrote that despatch, and I adhere to it, because I believe that in it lies the principle upon which the successful government of India depends—constant communication on the part of the Government of India to the Home Government of all that they intend to do. That is the secret on which the harmonious action of the two depends. If you adhere to that principle—if the Governor General gives to the Home Government the fullest notice of all the Indian Government intends to do, either in its executive or legislative capacity, you may be quite certain that, on the one hand, all Indian interests will be fully represented, and, on the other hand, English opinion will be fully heard, and all Imperial considerations, such as were present in the case before us, will be properly borne in mind; and then you may be confident you will solve, quietly and in harmony, without friction or collision, the difficult problem of reconciling the supremacy of the Home Government with the dignity and authority of those who serve it abroad.

THE DUKE OF ARGYLL: My Lords, the noble Marquess who has just sat down (the Marquess of Salisbury) can hardly be said, I think, to have made a conciliatory speech. The noble Marquess has said one thing which to-morrow morning he will regret having said. My noble Friend near me (Viscount Halifax) disavowed any personal or Party feeling in the speech he made, and surely it would have been in accordance with the usual courtesy of Parliament to have accepted a declaration of that kind, considering the long connection my noble Friend has had with Indian affairs, and that he represented the India Office for many years in the other House of Parliament. I never heard it suggested that in regard to the affairs of India he ever said a single word that was coloured by Party or personal feeling, and I must say it was unworthy of the noble Marquess to have cast at him the taunt that it was because Lord Northbrook was a member of our Party he had been influenced to make the speech he has made to-night. For myself, I can say, so far as any personal feeling is concerned in regard to Lord Northbrook, I do not know of any. If he did not accept the despatch so much complained of as a very gentle and amiable expression of opinion, at least, I know nothing to the contrary; he has not communicated one word to his political Friends. As a matter of fact, his intended resignation was known long before that despatch was written, and therefore neither personally nor officially has Lord Northbrook anything to do with the complaint which has been made on this occasion of the conduct of my noble Friend. Will he allow me to disavow any personal or Party feeling? I believe I have had the honour of addressing your Lordships since the dissolution of the late Government only upon two subjects. On one of them I was a hearty and strenuous supporter of the measure which Her Majesty's present Government proposed; and on the other occasion, last Session, I do not think anyone can say I acted the part of an unfriendly critic. It is with the deepest personal regret I take any part in animadverting on the conduct of the noble Marquess. During the many years in which I have watched the progress of Parliamentary discussion on Indian affairs, I have come to the conclusion that in nine cases out of ten Parliamentary animadversion on the conduct of the India Office is generally connected with some job, or some crotchet, or some political interest. But, my Lords, in saying this I refer to cases when attacks are made on the Indian Government acting conjointly in both its branches. When the India Office itself scolds and taunts the Government of India, and takes up against it the tone and attitude of Parliamentary opposition—then, I do not say the presumption is against the India Office, but, at least, it will not be denied that the action of the Secretary of State then becomes a legitimate subject of Parliamentary discussion. My noble Friend first of all referred to what is most important—the constitutional question as regards the power of the Secretary of State. I do not think that the despatch of the noble Marquess of March, 1874, was conceived in terms objectionable to the Government of India, and it laid down a rule that may be of great use in the conduct of his Department. In fact, as my noble Friend (Viscount Halifax) explained, it was merely enforcing a rule that was volunteered by the Indian Government many years ago, and which was practically to a large extent acted upon during the time I was in office, and, I believe, also under other Secretaries of State. I believe it was a wise rule, and that, on the whole, it will operate for the benefit of the Government both at home and in India. But I must complain of the noble Marquess when he quoted my noble Friend and myself as to the doctrine we had laid down relating to the power of the Governor General in respect to legislation. The noble Marquess read from the despatches of my noble Friend and myself, but he took care not to read the passages which throw a wholly different light on the doctrine that we laid down. Let me explain the particular occasion on which those two despatches were written, and also the occasion on which that Minute by Mr. John Stuart Mill was written which has been quoted by the noble Marquess. It was a case in which a great and powerful body of jurists had been appointed in this country to draw up a substantive code of Law and of Procedure for the Indian Empire. That was a work which could only be done here, and which could not be done in India;—the materials for it were there wanting. If such a code was to be adopted at all, it must first be passed at home. That was the occasion on which both of the despatches were written, and it had reference to the abstract power of the Secretary of State in such an extreme and peculiar a case as that. But I did not lay down the doctrine without qualification. The words I used were these—

> "I need hardly say that I am speaking of a question of abstract right—not of a question of ordinary procedure."

And again—

> "Such power and control as are here claimed for the Secretary of State must, indeed, be used with great deliberation and on the rarest occasions."

Now, our complaint is that a power which ought to be exercised on the rarest occasions, the noble Marquess has set up as one that ought to be exercised in the ordinary course of business. [The Marquess of SALISBURY expressed dissent.] It is all very well for the noble Marquess to repudiate it; but he has sent out two despatches, the one interpreting the other, under which it will become the rule, as may almost be said, for the initiative of legislation to be transferred from Calcutta to Downing Street. I complain that under those despatches the doctrine will be established that the initiative of legislation, which Parliament certainly intended to place in India, shall be transferred to the Secretary of State, and that nothing can be done in the ordinary course of business in India without previous authority from Downing Street. That we hold to be a most dangerous doctrine; and, moreover, we hold that if it were possible to single out a case in which the danger of that doctrine should be more clearly exposed than in another, it is the case in which the noble Marquess has exercised that power on the present occasion. I refer first to the directing and then to the scolding despatch; and I reiterate my noble Friend's expression of opinion, that if you push this power of the Secretary of State to the length of taking away from the Government of India the usual initiative in all legislative matters, you will emasculate it and deprive it of that character which has constituted its great value in our system of Imperial government. Hitherto India has been a nursery of great men—of men who had the power to "take occasion by the hand"—and it is India which has made men great who never would have been great except for those opportunities which the noble Marquess intends to extinguish. A still more important consideration to remember is, that the initiative which you destroy there you will not really be able to assume here; it will be destroyed altogether. It is physically and morally impossible that this initiative can be exercised with effect from Downing Street. You will simply smite the Government of India with impotence; for this power, I repeat, is not one that can be exercised here. And look at the effect of this policy in another point of view. The Legislature of India sits in the presence of a vast community—not quite so politically dumb as the noble Marquess supposes, but now represented by a powerful, a free, and I am afraid I must say a licentious Press. No action of the Government escapes the most hostile criticism, the most jealous watchfulness; and I know as a fact that it is one of the most common and popular imputations on the Government of India in regard to any measure that is unpopular with that Press, to say that they are acting as mere puppets of the Government at home, and with a view not to Indian but to English interests.

Now, I ask the House to look at the perfect example of all the theoretical evils of this new course which is given by the particular policy adopted by the noble Marquess. In the first place, the subject on which the noble Marquess issues an order is the subject of taxation. If there is one subject more than another on which it is desirable, and I think absolutely essential, that the initiative should be left in India it is the subject of taxation. It has never been the custom for the Indian Government to send home their Tariff Bills to the Secretary of State for previous consideration; and if the people of India are to have ground to suspect that the Government at home is to order from time to time, as various interests may fill Downing Street with deputations, remissions of taxation in India and the imposition of the new taxes which those remissions may render necessary, the evils and dangers of your Administration will be aggravated tenfold. I happened to have a difference of opinion with Lord Northbrook before I left the India Office on a question of taxation. I need not go into its details, but I differed from him as to the conclusions to which I knew he was about to come on a question of taxation. I represented to him in a full despatch or letter all the arguments which occurred to my mind against the course that I believed he was likely to take; and after placing all the arguments before him, left the final decision to him, saying "The Viceroy is the man who has his hand on the pulse of India. Do what you may think to be best after considering all the arguments of the case, and I will support you." I maintain that to be the course which in reference to taxation ought on all accounts to be taken by the Secretary of State. But, in the second place, look at the particular order that was given by the noble Marquess. The noble Marquess singles out a particular tax, and says—"You are to expend the first surplus you have in the repeal or the gradual extinction of that particular tax." Now, my Lords, it may be laid down as a maxim, which I think will be assented to by every reasonable man, that when you are dealing with taxation you must never deal with individual taxes, without considering them in relation to the whole system of taxation of which they form a part. No man in his senses would say of a particular tax—"You must devote every shilling you have to spare to the repeal of that tax," without looking to other taxes, to which, perhaps, there is the same or greater objection in a political and economical point of view, and which may be practically pressing much more hardly on the people. And yet this is the step taken by the noble Marquess when he issues an absolute order on the subject of taxation which ought to have been left to the Government of India. And then, in the third place, not only does the noble Marquess order the repeal of a particular tax, but it appears that when he does so he admits that the objections to it are certainly exaggerated and might be altogether delusive. The noble Marquess complained of the noble Viscount behind me (Viscount Halifax) for having misquoted his despatch on this point—and I am not surprised that he should seek to invalidate that quotation, because there is a wonderful difference between the despatch and the language we heard to-night. In the despatch, the noble Marquess virtually says to the Government of India—"You are to repeal the tax on the importation of Manchester goods, although the objection to it is to a great extent a delusion." But in his speech to-night he has adopted and fathered all the exaggerations and delusions which he had himself exposed. Such are the exigencies of debate. I will read to the House the passage in the despatch of the noble Marquess, in which he confesses that the objection to the cotton duties is founded on delusion. In the third paragraph of the despatch, the noble Marquess enumerates the natural causes in operation which are giving and will probably secure to the Indian manufacturer a monopoly in a certain class of fabrics, and then in the fourth paragraph he proceeds thus—"In the presence of influences so powerful, the effect of the 5 per cent duty is probably insignificant." And again, in the fifth paragraph, he says—

> "If it were true that this duty is the means of excluding English competition, and thereby raising the price of a necessary of life to the vast mass of Indian consumers, it is unnecessary for me to remark that it would be open to economical objections of the gravest kind. I do not attribute to it any such effect."

Here is the distinct confession of the noble Marquess that he was ordering a great sacrifice of revenue for the sake of an objection which he admits to be founded on delusion. Nor is this a mere casual admission. It is the result and conclusion of a careful argument. If the noble Marquess and his successors are to take into their hands the initiative in legislation and taxation for India, I ask him, and I ask the House, are these the principles upon which his Budget is to be constructed?

But this is not all. When Lord Northbrook, after consulting with his Executive Council at Simla, in which all the interests of India had been represented, came to consider the Indian Tariff, he found a series of export duties on articles in which India had no monopoly. The noble Marquess is a tremendous convert to the most abstract doctrines in political economy, and I presume he will admit that there may be politico-economical objections to such duties. The political and economical objections to export duties on articles in which India has no monopoly are at least as valid as the objection to an import duty which practically had no protective effect whatever. But yet the noble Marquess does not give even a choice to the Indian Government to get rid of these export duties. He does not only a highly impolitic thing; he reverses the advice which previous Secretaries of State had given to the Government of India. I pointed out to Lord Northbrook that the export duties would require the earliest attention of the Indian Government, whenever they had the power of remitting taxation. Let us consider for a moment what these export duties actually were, and remember that, if the noble Marquess had been obeyed, these are duties which would have been now left on the people of India. First of all, there was the export duty on cotton goods—that is to say, the native weavers of India had a duty upon them limiting their trade and preventing them from exporting to other countries. There was an export duty upon dressed hides of Indian cattle, to the discouragement of the agricultural interest of India. And here let me say that if there is one interest more than another which we ought to free from such injurious imposts it is the agriculture of India, on which the great mass of its people depend, and on which we levy, I fear, an oppressive land tax. Again, there was a very heavy duty upon another valuable class of Indian agricultural produce—namely, oil seeds, thus weighting India in her competition with other countries. There was also an export duty upon grain. I understand there was also a very considerable duty on sugar, and this in the form of one of the most abominable inventions that could be named—namely, an inland revenue upon the transit of sugar, one of the primary necessaries of life.

The noble Marquess speaks of this Tariff Bill as having come down upon him like a clap of thunder; but, at any rate, along with the thunder there was a flash of lightning which lightened the noble Marquess, and made him see for the first time that there were at least some taxes which it was the prior duty of the Government of India to repeal, rather than to devote the first shilling they had to spare on the repeal of the duty on Manchester goods. The noble Marquess said in the despatch he wrote about the Tariff Bill, that the provisions which diminished the burden of export duties appeared to him to be judicious. Well, then, I say that is a self-condemnation of his previous order, because if that order had been obeyed not one of these export duties could have been repealed. Surely the noble Marquess must admit that this was a strong argument for allowing free action to the Government of India. But this is not all. There were other import duties which pressed more heavily than the cotton duties upon the people of India. The objections to them were no delusions. There were import duties on about 50 articles in the Tariff which were still subject to 7½ per cent duty, and the Government of India stated distinctly that there had been a diminution in the revenue on those articles in the four previous years of £90,000. These duties not only reduced the trade, but diminished the revenue of the country. The objections then which I bring against the policy of the noble Marquess in exercising the new power which he has assumed to exercise are these. I object, in the first place, that he gave an order with regard to taxation which I think is most impolitic; secondly, that he singled out of our extensive system of taxation one single tax, and kept that alone in view; thirdly, that he excluded from the Governor General of India—or, at all events, he would have done so had his despatch arrived in time—the consideration of the comparative claims of other taxes to remission; and, lastly, that he excluded the consideration of those claims in favour of another tax, the objections to which he himself admits are, to a large extent, delusive. If these are not solid and rational objections to the course adopted by the noble Marquess, I cannot conceive any that could be stronger against any given course of fiscal policy.

As to the remarks of the noble Marquess with reference to the place of legislation, I object altogether to his statement that the location of the Indian Government at Simla during certain times of the year has never been recognized by the Home Government. So far from that being the case, during the five years that I was in office Lord Mayo was in the constant habit of performing the most important functions of his Government and of passing the most important laws at Simla. On this subject, I may mention a curious fact. When I first came into office the Council of India was full of men of great distinction, who, although advanced in years, were magnificent specimens of humanity, and were remarkable for the remaining vigour of their physical and mental powers. I could not but observe that one of the strongest feelings which they entertained was an antipathy to Simla. I remember it being urged in Council that the Government should be prohibited from spending so much time at Simla. It was in vain that they were reminded of the advantages that railways afforded, and of the benefits to health that resulted from accommodating ourselves to the modern system. In reply, I was told that Lord Hastings used to spend his whole time in Calcutta, always transacting business in full uniform, even in the hottest weather, an example which excited the utmost admiration and approval of some of my older friends. I resisted this tendency as far as I was able, and I reminded them that we really could not expect that the Government of India would refrain from recruiting their health and saving their lives by resorting to a more congenial climate during the great heats of summer. Indeed, Lord Mayo looked forward to the time of his going to Simla as a time specially favourable for the consideration of the gravest questions—as a time when he could give more undivided attention to subjects of legislation and government, than in the hurry, pressure, and stifling atmosphere of Calcutta. Therefore, I say that it will be an unwise policy to prohibit the Government of India from occasionally transacting its business at Simla. I admit that there was one occasion, and one only, on which I was obliged to complain of the conduct of Lord Mayo in passing a measure at Simla, an Act affecting a change in the law relating to the succession of Hindoo property; and I did so, because I thought it was wrong to pass such a measure of that kind when no native Councillor was present. As the noble Marquess has dwelt upon this point, I will, with the permission of the House, read the following passage in my letter to Lord Mayo of May 4, 1871, which is as follows:—

> "There is one matter connected with this Act which has attracted a good deal of attention here—namely, that an Act of this kind, affecting so

> nearly the interests and feelings of the Hindoo population, should have been passed at Simla, when few or none of the native Members were or could be present. Their presence might have made no difference. But I cannot think it wise to expose the legislative action of the Government to such invidious remarks. I think that in general, unless in cases of urgency, measures affecting the Native laws and customs ought to be discussed and decided when the Legislative Council is sitting at Calcutta."

That instruction, however, was confined to laws affecting Native customs and usages, which I thought should not be altered at Simla. But as regards this particular question now before the House, the noble Marquess, however unintentionally, has misrepresented to the public and to Parliament the whole material facts as regards Lord Northbrook's legislation at Simla. I was astonished to hear the noble Marquess state that he had received no information, either public or private, that a revision of the Indian Tariff was in contemplation. It is evident from the Papers that are before the House that a revision of the Indian Tariff, with a view to re-classification, was ordered to be made from home. That revision was also demanded by the commercial community of Calcutta, Bombay, and Madras with a view to re-valuation, and I cannot conceive how their demand did not come to the knowledge of the noble Marquess. Is it possible that the noble Marquess was not aware that Lord Northbrook had appointed a Committee to consider the re-classification and the re-valuation of the Tariff of India, and that the members of that Committee were at the same time directed to consider whether they could advise any of those taxes to be remitted? The noble Marquess may have forgotten the fact; but from documents which were in the India Office he must have had ample opportunity of becoming acquainted with it. Then the noble Marquess said that Lord Northbrook must have acted at Simla without adequate advice of his Council. The noble Marquess, however, has given an entirely erroneous account of what occurred at Simla. I understood the noble Marquess to say that this revision and re-classification of the Indian Tariff was done without the knowledge of the commercial men of India; whereas the truth is, that the whole commercial community of India were carefully consulted by the Committee which was appointed to deal with the question, and in the constitution of that Committee itself the Chambers of Commerce were directly represented. I heard with astonishment the noble Marquess refer to-night to the commercial men of Bombay, Calcutta, and Madras as not fair representatives of the Indian commercial community, but only of "certain outports." Surely it must be admitted that they are the representatives of the greatest centres of Indian commercial industry. Under these circumstances, I ask whether it is fair that the noble Marquess should hold out to Parliament and to the country that Lord Northbrook acted in this manner without due consultation with the commercial community of India? As to the constitution of the Council at Simla, of which the noble Marquess has complained, out of the 16 Members of which the Council consists 10 were actually present, while two more who had been Members of the Committee appointed to consider the Tariff were informally present—leaving only four absentees, of whom two were Native Rayahs, who only take an active part in Native affairs. There is not the smallest reason to suppose that the action taken by Lord Northbrook was not fully approved by his Council, even by the only four members who were not actually present. Quite the contrary. In taking the step he did Lord Northbrook stated —and no man is more accurate in his facts—that although enlarging somewhat the recommendations of the Committee, he was proceeding exactly in the direction and line of the policy they laid down. The statements that have been made to-night with reference to Lord Northbrook's conduct in this matter are therefore entirely inaccurate.

Now, my Lords, I cannot help asking myself what is the secret of this extraordinary course which the noble Marquess has thought fit to take? There must be something behind all this. It cannot be supposed that the getting rid of a mere delusion on the part of the cotton interest at home is a matter of such vast importance as to render it necessary to destroy the initiative power of the Government of India and to violate every principle upon which fiscal legislation ought to be conducted. I am not going to deal in any inuendoes upon this subject; but I will tell the noble Marquess and the House what I believe to be the explanation of this singular course of conduct, and of all this irritation towards the Governor General of India. Last year the noble Marquess was entertained at Manchester, and on a platform in that city he made a speech which, if it did not absolutely commit him to this course of policy, placed him in a very awkward position if the policy was not adopted. Being entirely ignorant of everything going on in India—not having heard a word from Lord Northbrook, and not knowing that there was any difference of opinion between the noble Marquess and him, I was told by a friend of my own, in the course of last autumn, that a state of tension had arisen between the Secretary of State and the Viceroy of India. I said I was very sorry to hear this; but, I added—"When the Secretary of State for India goes on the stump in the provinces, it is not very likely that the Viceroy will be able to shape his policy according to the dictates of the speeches that may be made. I cannot conceive anything more liable to place the Secretary of State and the Viceroy in a false position." The friend who told me of this was a friend rather of the Secretary of State than of the Viceroy, and he told me he thought Lord Northbrook's conduct had been quite enough to raise feelings of irritation in the mind of the Secretary of State. I said—"Do you really mean that the Viceroy of India, in considering the taxes which are pressing most hardly upon the industry of a people poor with a poverty of which we have no conception, is to shape his policy, not according to his own views of what is demanded by Indian finance—not even according to official despatches—but according to platform speeches delivered by the Secretary of State for India in provincial town halls, speaking in an unofficial capacity, and which the Viceroy may see for the first time in the columns of *The Times?*" He said he thought it was very hard that a policy dictated or announced by the noble Marquess opposite should be immediately contradicted by Lord Northbrook. But this language, which astonished and even horrified me at the time, is very much supported by certain remarks which fell from the noble Marquess the Secretary of State to-night. He said Lord Northbrook was aware of the policy of the Government. But I would like to ask how he could possibly have had any knowledge of the subject? Your despatch is dated July 15, and it could not possibly have reached Simla before the 5th of August. I should like to know whether Lord Northbrook was to gather your policy from the columns of *The Times* and from reports of speeches delivered at Manchester? Further, let me remark that the course pursued by the noble Marquess affords an admirable opportunity to the Indian Press, which is always liable to be licentious. I hope the noble Marquess will not believe me capable of suggesting that he had any political object in going to Manchester. I do not for one moment suppose that he would sacrifice the interests of the people of India to any political considerations in this country; but Manchester is the head-quarters of one of the great political schools in this country, and I would ask the noble Marquess whether he thinks he could go there and make speeches without the Indian Press saying that he had pledged himself to the policy of the cotton interest, and would insist upon the Viceroy accepting that policy, apart altogether from the interest of the Indian people, in the remission or retention of import and export duties? I cannot conceive a more dangerous weapon than this to place in the hands of the Indian Opposition, which is ubiquitous over the whole face of the country. And now I must advert for a moment to another subject. I do not know that newspaper reports of the proceedings at deputations to Her Majesty's Ministers are always correct.

THE MARQUESS OF SALISBURY said, the report of the particular deputation to which the noble Duke was about to refer was incorrect.

THE DUKE OF ARGYLL: I am very glad to hear that statement. If it is offensive to speak of the Government of India in the manner ascribed to the noble Marquess in the report I hold in my hand, it is still more offensive so to speak not to, but at, them in the presence of persons urging their own interests in possible opposition to those of the people of India. It certainly went forth that the noble Marquess spoke of the Government of India "obeying" his orders, and so conveying an insinuation that at some period Lord Northbrook had disobeyed them. I am glad, as I said, to know that the report is in this respect inaccurate; for I cannot conceive any public man of high principle and legitimate independence continuing in the office of Viceroy of India after such language was addressed to, or, rather, spoken of him, to a deputation which waited upon a Secretary of State. There is only one other subject on which I wish to say a few words. The noble Marquess and his Colleagues have chosen Lord Lytton for the Viceroyalty of India. Lord Lytton is a man of great ability, of very high accomplishments, and, as I am told by everybody who knows him, of the greatest possible charm of personal character. He is already a distinguished, and I trust he will return an illustrious man—the illustrious son of an illustrious father. But there is one circumstance connected with Lord Lytton's education which seems to me not unconnected with the debate we are now conducting. Lord Lytton's early education has been that of a *diplomat*, and that is a profession in which the first duty of a public official is to represent accurately and faithfully, without exaggeration and without diminution, the Minister and the Government whom he represents. He is to be the *alter ego* of the Minister at home—and it requires great talent to do this under varying conditions. I am not disparaging that great profession or its duties. But, my Lords, this is not the position of the Viceroy of India. He is not to be the mere supple instrument—the mere echo and duplicate of the Minister at home. It will be his first duty to consider the benefit and the interest of the people of India from an independent point of view; and, although the new Viceroy may serve a somewhat imperious master, I cannot doubt that even the noble Marquess the Secretary of State will, in his calmer moments, support the independent opinions which it will be Lord Lytton's duty to give him in regard to questions of taxation. I rejoiced to see that before Lord Lytton went out he took an opportunity of explaining to the public, in a most able diplomatic speech, that he had not had direct orders to repeal the tax on cotton goods, unless it could be afforded by the revenue. This is well: but it is not enough. You have not bound him to repeal this tax unless it can be afforded. But have you left him free not only to consider whether he could afford it, but whether there are not other taxes still standing with prior claims to remission? Have you left Lord Lytton power to consider, for example, whether the Salt Tax, which tells so severely upon the people of India, may not be reduced, or have you bound him—as you tried to bind Lord Northbrook—and, I am happy to say, without success—to spend his first sixpence—no matter how much more grievous other taxes may be—on this Manchester delusion? Soon after I came into office I was called upon to consider the incidence of the Salt Tax, and was shocked by the evidence brought before me, which showed that at least in certain parts of India the tax was most oppressive upon the poorest of the people, and levied upon one of the very first necessaries of life. I therefore ask the Government—Have you left Lord Lytton free to deal with that tax? My Lords, all I can say is, whether the noble Marquess answers the question or not, that I trust Lord Lytton will assert his indisputable right as the holder of the greatest office in the Empire of the Queen to deal with this question from an independent point of view, and sure I am that even if he is not supported by the noble Marquess he will be supported by the English people.

The LORD CHANCELLOR: My Lords, the noble Duke who has just sat down commenced his speech by making a charge against my noble Friend the Secretary of State. He accused my noble Friend of having said it was just possible that in bringing these charges against the Indian Government, those who brought them might not be uninfluenced by the consideration that the late Governor General of India was a political friend of those who sat on the Opposition side of the House. I do not stop to consider whether that charge was or was not well founded; but this I will say, that if it was as well founded as the noble Duke supposed it to be, he has repaid the accusation with Indian interest; for he has made two charges against my noble Friend and Her Majesty's Government the most odious, I will venture to say, that I have ever heard broached within these walls. The last is one the echoes of which have scarcely died away. If the noble Duke's words have any meaning—and he rarely speaks without a very decided meaning—they charge the Government with having appointed Lord Lytton Governor General of India, not from any considerations as to his fitness for the office, but because they thought that the habit of obedience to orders derived from his previous and early training as a diplomatist would naturally fit him to be the *alter ego* of the Secretary of State as Governor of India. My Lords, the last accusation of the noble Duke was quite upon a par with the first. The noble Duke said he had discovered the secret of what he terms the irritation of the Secretary of State for India and of the despatches which have been addressed to the Government of India, and the discovery made by the noble Duke is this—that the Secretary of State—charged with the responsibility of the Government of India charged with the duty of forming and expressing his unbiassed opinion as to the measures which he considers most desirable for the welfare of India—on this occasion did not act on principles of that kind, but addressed despatches to Lord Northbrook, in order, to use the noble Duke's words, "to extricate himself from the false position in which he had placed himself by a speech made in Manchester." And, my Lords, the noble Duke himself gave the best test of the odiousness of that charge, for he related to your Lordships a conversation which he says he lately had with a friend of his who had made a somewhat similar suggestion as to the conduct of Lord Northbrook as Governor General. The noble Duke says he addressed to his friend these words—"Do you mean to say that Lord Northbrook, charged with the duty of considering what course of taxation or remission of taxation is best for the interests of India, would be regulated not by what he considers to be really for the benefit of India, but by a wish to square his policy by that of the Secretary of State at home?" If that was an odious charge to make with regard to Lord Northbrook, I wonder what the noble Duke thinks his suggestion means—that my noble Friend regulated his policy in order to extricate himself from a false position in which, as the noble Duke contends, my noble Friend had placed himself by a speech at Manchester?

Now, my Lords, I do not rise to continue the discussion upon the question of finance — I am quite content to leave that as my noble Friend has left it; and I must say I do not wish to enter upon the subject of the particular mode in which this particular Act of legislation for India was passed at Simla—not because I have any difficulty in referring, as the noble Duke thinks, to Simla—I am quite content to acquiesce in his views of the advantage of Simla as a place of recreation and health for those who are charged with the transaction of important duties in India. I do not understand that my noble Friend said anything more than that it was not a place to pass legislative Acts which directly and largely interested the public mind at Calcutta, and as to which the opinion of the officials at Calcutta would be extremely beneficial; and, indeed, I gather from the noble Duke that he had himself given to Lord Mayo directions of precisely the same kind. But this I say, that I think no person who has heard the narrative of what occurred at Simla would desire to see it repeated. It is a proceeding which I look upon with the deepest regret. I am sure it was adopted inadvertently by Lord Northbrook; and I own I was surprised to hear a public man who himself has been Secretary of State, in his place in your Lordships' House justifying the course which was taken with regard to that Act. The noble Viscount who began the discussion (Viscount Halifax) did not take that course—I understood that he regretted and deprecated the mode in which the Act was passed.

Now, my Lords, I come to what I think is of more importance, and as to which I must join issue with the noble Duke. But, fortunately, I may narrow the issue by an admission of the noble Duke himself, because he frankly and fairly said he did not object to any of the principles contained in the despatch of the 31st of March, 1874, or to the language in which it was expressed. Well, if your Lordships will take that admission at the outset, I think you will have little difficulty in answering the other question which has been raised. What did that despatch treat of? Your Lordships heard the noble Duke say over and over again that the policy of my noble Friend had entirely deprived the Government of India of the initiative in legislation—that it has changed that initiative and taken it away from India. I altogether demur to that conclusion from the despatch. I understand it to do exactly the very opposite. It calls upon the Governor General in Council to initiate the measures which he thinks desirable, carefully to consider them, and send them home to the Secretary of State in the form in which he thinks them most desirable. Is that initiating legislation at home? I should term it in the clearest way initiating legislation in India, according to what the Government in India sees to be best for the necessities of India. But what are to be the exceptions? There are two—the one as to cases of legislative measures which are of trifling importance; the other as to cases of moderate importance which are not urgent. Now let me consider how important it was that that course should be taken. I cannot conceive anything more inconvenient, more undesirable, more calculated to produce evil results than this—that a measure should be presented by the Governor General in Council to the Legislative Council, that it should be publicly discussed and occupy the public mind in India, should pass through its stages without any communication with the Secretary of State, and should then be sent home to the Secretary of State as a measure already passed, and as to which the only alternative he has is to allow it to take its course or to disallow it by his veto. Nothing is more calculated to create mischief, and in many cases even scandal, than a proceeding of that kind. But those evil consequences are avoided by the policy of that despatch. And there is another evil it avoids—namely, that of a great number of subjects and provisions being tied together in one legislative measure and coming home to the Secretary of State as a whole, so that, if the Secretary of State should approve nine out of ten of these, he must disallow all in order to reject the one he disapproves, or he must accept that which he disapproves to save the other nine. But it is unnecessary to pursue the subject further; for I find that in a despatch of the noble Viscount (Viscount Halifax), dated March 31, 1865, he expressly approves a like policy—

> "It is," said Sir Charles Wood, "more courteous and more calculated to maintain the dignity of the Council that the Secretary of State should suggest to the Executive Government that they should suspend, and even withdraw a Bill, than leave them without any intimation of his opinion that he should afterwards disallow it."

The policy, therefore, recommended is, that a Bill intended to be passed should be sent home to the Secretary of State and laid before him, so that he should not be driven to the ridiculous alternative of allowing it or disallowing it after it has passed. But how did Lord Northbrook's Council view it? Did they regard it as an entire and serious innovation—a course of policy which could not be approved, and which would change the initiative of legislation? On the contrary, they entirely approved of it.

THE DUKE OF ARGYLL: I referred to the second despatch.

THE LORD CHANCELLOR: The noble Duke referred to the second despatch, and I will come to that; but we must first understand the policy which was inaugurated by the first despatch. As I have said, the reply of the Governor General in Council approved of the policy of the despatch. They saw no difficulty, they said, in carrying out the wishes of the Secretary of State. Your Lordships then have a despatch which is perfectly clear as to the course which it proposes to the Government of India. It is a course which does not shift the initiative of legislation, and which relieves the Secretary of State from the painful position of vetoing a measure which had already passed, but of which he had only learnt by hearsay. It saves him from that painful alternative.

Now, my Lords, let me next proceed to that second despatch which the noble Duke was anxious I should consider. There were two exceptions made in the first despatch of my noble Friend—one in the case of measures of trifling importance and the other of cases of urgent importance. Now, was the measure of trifling importance? No one has suggested that it was. Was it one of urgency? Or was it to come under that exception of which we have now heard—namely, because it was a measure of taxation? What is the proof that it was a measure of urgency? I can find none in the statement of the Governor General, except the assertion that if the measure, being one of fiscal taxation, were known at home, there was no security that it would be kept secret. Now, it appears to me that if there is one class of measures more than another as to which it ought to be known when they are first proposed whether they will meet with a veto from the Home Government, it is a measure of taxation. Observe the circumstances of the case. You are launching in Calcutta a measure which may revolutionize the whole system of your trade and commercial policy. The merchants there must be entitled to assume that, when such a scheme is once put forward by the Governor General in Council, it will pass into a law. They would make their arrangements in accordance with that legislation; and they would be justly aggrieved if, after it had been published in India, it should receive when it came home the veto of the Home Government, and should not, after all, pass into law. You are, therefore, reduced to this dilemma, and you must take your choice of two alternatives. You must either say that on a matter of taxation the Governor General in Council is supreme and that the Home Government has no voice at all; or else that the opinion of the Secretary of State must be expressed at an early stage and before the plan is promulgated, and not at the latest moment. The question lies in a nutshell, and I am amazed that it can be gravely maintained that a measure altering the whole fiscal duties of a country may be proposed, may be agitated and allowed to pass in India, and that afterwards no real veto shall be exercised by the Government at home on the measure. You can establish no more dangerous proposal for the government of India, nor one, perhaps, more palatable to a Secretary of State. For these doctrines of the noble Duke strip the Secretary for India of all responsibility to Parliament. We will suppose that the Governor General in India proposes a measure on taxation to which objections are entertained, the force of which is admitted by public men at home. What is the position of the Secretary of State for India? He may have the most serious objections to the measure; but the matter threads its way at Simla or Calcutta, it obtains the consent of four or six Members of the Council, and it becomes law. Both Houses of Parliament may be known to disapprove the new policy, for it may be a reversal of all the principles which the country has adopted in its legislation. Is the Secretary of State to say that the Home Government had strong objections to it, but that it had passed through all its stages in India. Is he to say—"I have been told by those who preceded me in office that the initiative must begin in India, and that I must not interfere, and must not even ask that a taxing Bill must first be sent home to me for my knowledge and approval?" The Secretary of State may feel that there were the greatest objections to such a Bill; but is he to say that when he came to consider the enormous inconveniences of reversing the policy upon which the Government of India had been acting for the last 10 months, he had thought it better to sacrifice the policy which was dear to this country and give way to that which had been done abroad? Was he to tell Parliament—"Although I am the responsible Minister of the Crown for India, I have no responsibility at all, but you must apply to the Governor General of India?" Yet that was the doctrine of the noble Duke, and if he were right it was impossible that the Secretary of State could govern India as a Minister responsible to Parliament.

Lord LAWRENCE said, that when he was Governor General of India he received from the Secretary of State great assistance in legislative and administrative matters, and that at a time when the communications of the Secretary of State on fiscal matters always came as suggestions and not as positive instructions. When there was a division of opinion the views of the Secretary of State had their full influence upon the Legislative Council; but when the Council had come to a determination upon any question, he could not call to mind any case in which the Governor General in Council adopted a policy of which the Council did not as a body approve. The real question was, which was the better system; and after giving due weight to the authorities, he was inclined to think that it was better to allow the Governor General and the Legislative Council to pass a law, and to leave to the Secretary of State the power of interposing his veto. He said unhesitatingly that if he had been placed in the position of Lord Northbrook he should have refused to repeal the import duties under the circumstances of the case—the Viceroy could not carry out instructions which he totally disapproved without being disgraced in the eyes of his colleagues and before the whole country; and it would be impossible for him honourably to remain in his place under the circumstances. The course of legislation prescribed by the Secretary of State to do nothing with the draft of a Bill until you received instructions from home was one which would practically place the initiative in all legislation in the hands of the Secretary of State, and take it out of the hands of the Indian authorities. He did not recollect a single instance when Governor General even in the discussion of a change in the tariff in which this course had been adopted, or suggested. He admitted that it would in itself be a great evil if a Bill which had been formally passed in India should be vetoed by the Secretary of State; but nevertheless it would be a lesser evil to run the danger of that veto than it would be to force the Governor General to wait for the consent of the Home Government before he could initiate or forward legislation. He admitted that the language of the despatch was somewhat severe; but he was not thin-skinned, and if he had been in Lord Northbrook's place he would not have taken displeasure at its language and tone so much as at the instructions that were embodied in it. The last two lines seemed to bind up the Governor General in the most absolute and complete manner to get rid of these import duties on cotton; and there could not be a doubt it would be most impolitic to do so altogether, because they were a valuable and elastic source of revenue. And besides, so far from being obnoxious to the people of India, they would probably rather quadruple than abolish them, because they believed that the import of English goods had in many instances destroyed those of Native manufacture. The import duties were raised largely by Mr. Wilson to meet the financial difficulties which followed the Mutiny, and gradually lowered as the financial difficulties were got over; and the very fact that they had been so reduced showed that there was no disposition to keep them up beyond what the necessities of the case required. It might be that the revenue of India was increasing, but the expenditure was increasing *pari passu;* and while there was no margin of income over expenditure, it was unwise to get rid of import duties which were not oppressive or vexatious to those upon whom they fell. If the people of India were consulted he believed they would say almost with one voice—"Maintain the import duties, and for God's sake keep away from us direct taxes!" The expenditure on public works in India had been reduced; and yet, taking into consideration all the sources of revenue on the one hand, and all the heads of expenditure, ordinary and extraordinary, on the other, there was a large deficit. They knew, moreover, that at this moment the loss on exchange against the Government of India was something like £1,800,000 per annum. Some of the Departments also were now more or less undermanned, and more or less underpaid. Was that, he asked, a state of things in which they should propose to get rid of the import duties? He was not one of those who would blindly follow even the wishes of the people of India; but he thought that what the people of India liked in this matter was exactly what seemed to him to be the right and proper policy to pursue.

LORD WINMARLEIGH, having represented for many years in the other House of Parliament the county of Lancaster, where those duties possessed an especial interest, desired to make a few remarks. The noble Duke (the Duke of Argyll) had unjustly accused his noble Friend the Secretary of State for India of "stumping down to Manchester to find a policy;" but, for his part, he hoped the time would never come when a Minister in this country would think it beneath his dignity to go down to a great centre of manufacturing industry in order to learn what were the real interests of the principal centres of our manufacturing wealth.

THE DUKE OF ARGYLL: I did not use the expression "stumping for a policy," although I spoke of the noble Marquess being "on the stump at Manchester."

LORD WINMARLEIGH said, that expression gave an utterly untrue idea of what he knew was his noble Friend's endeavour to ascertain the feelings of the people of Lancashire. Moreover, never in all his experience had an explanation given by a Minister to a deputation been more misrepresented than had been his noble Friend's statement to the deputation which he had introduced to him at the India Office. His noble Friend, while he said he made the repeal of the duty a main point in his recommendations to the Government of

India, yet gave his hearers to understand, in the most open manner, that this would only be done subject to its not interfering with the financial arrangements of India. Taking the explanation given of the matter by his noble Friend, he hoped that eventually it would not interfere with the financial policy of that country. His noble Friend had distinctly stated that what he relied on was the increasing revenue of India, which might enable him at some future time to recommend the remission of the import duty. He was astonished to hear the noble Duke (the Duke of Argyll) twit his noble Friend with now being and ardent advocate of free trade; but surely it was more surprising to find the noble Viscount opposite (Viscount Halifax) devoting a considerable part of his speech in arguing that a duty of 5 per cent was of no importance whatever to the commercial transactions which it affected. He thought he remembered the noble Viscount in former times being associated with those who fought hard for the removal of an impost of 2 per cent, on the ground that it had a serious effect upon the commerce of the country. It was urged that this was a fight between the Secretary of State with the Manchester Chamber of Commerce on the one side, and the Government and people of India on the other; but from his knowledge of the Manchester Chamber of Commerce he could say that no statement was more contrary to the fact than that the Chamber was desirous of seeing anything done that could be detrimental to the best interests of India. With regard to the duty now in question, there were some very peculiar reasons why it should be looked upon with some suspicion by everybody engaged in the cotton manufacture of Lancashire. In England the price of labour had greatly increased; whereas in India there was no restriction on the hours of labour, and labour there was cheap to an almost incredible degree compared with labour in this country. Then India produced cotton in the immediate neighbourhood of their factories, which enabled them to compete on advantageous conditions with the manufactures of this country. The manufacturers of Bombay were carrying away some of our most valuable operatives to superintend the factories there, which were increasing. The manufacturers of Lancashire were not afraid of competing with the manufacturers of India; all they wanted was a fair field and no favour. They objected to being overweighted in the competition with which they had to contend. On the part of the county of Lancaster he begged to tender to the noble Marquess thanks for the expression of his intention with regard to the duty on cotton imported into India, and for the interest he had taken in the prosperity of that country.

Earl GREY said, in the course of the debate some of the most material facts on which their judgment ought to be founded seemed to be admitted on both sides of the House. He understood that even the noble Marquess did not deny that it was of the greatest importance to maintain the revenue of India—that India was a country in which taxation was a matter of extreme difficulty, that many public works were urgently required in India, and that money for those purposes was wanting in the public Treasury. He believed also that his noble Friend had not attempted to deny that part of the revenue of India was extremely precarious, and was exposed to the risk that either an increasing cultivation of poppies in China, or a change in the taste of the Chinese as to opium, might destroy that important branch of revenue which was derived from opium. Was it wise, then, to give up the tax on cotton goods which produced so large a sum in proportion to the total revenue of India as between £800,000 and £900,000? for that was the simple point. The noble Marquess objected to this tax on the ground that it operated as a protective duty, and pointed out that the burden of a protective duty was not to be measured by the amount it brought into the Treasury. That was true—the burden of a tax was to be measured by the way in which the whole produce of the article taxed was raised in price, and not only that which was imported. That was a principle of political economy which he would be the last person to contest, but what they had to consider was whether it really applied to the question before them. Could it be made out that this duty upon cotton imported into India did practically produce bad effects and raise the price of home-made cottons in India as well as of imported cotton? There was an important fact bearing upon this question which he believed was not disputed—that practically there was very little competition between Indian cotton and English cotton of any one particular kind. The Indian cotton manufactures were mainly confined to a low quality of cotton, which England sent only to a very small extent to the Indian market. The Indian cotton goods of this low quality could only be raised in price by the tax imposed upon English manufactures, if the latter met them in the market or were only kept out of it by the duty. But this was not the case. The proportion of English goods of the lower kinds imported was so small as to have but very little effect upon the Indian cotton trade, and he believed it was admitted that even if there were no duty it was not likely that English goods of this particular description would take the place of those produced in India. On the other hand, the finer cottons consumed in India were almost entirely imported, so that the duty levied upon them yielded a large income to the Treasury without being open to the objection that it imposed a further burden on the consumer by raising the price of goods produced at home. If this were so, the duty must be regarded as an unobjectionable one so far as the interests of India were considered, and in this case the arguments of the manufacturers of Lancashire as affecting their interests should have very little weight, because the subject could be considered entirely from an Indian point of view. He would ask any of the noble Lords who had listened to this debate whether there was the slightest reasonable doubt that those duties which Lord Northbrook had repealed were not the first that ought to have been remitted? He was convinced that the policy of Lord Northbrook was sounder than that of the noble Marquess. He could not sit down without expressing his entire concurrence in the opinion of those who sat around him—that, whatever objection might be taken to the policy of Lord Northbrook, it was a great mistake to overrule it in the high-handed manner that the noble Marquess had thought fit to adopt. In his opinion, the action of the noble Marquess in this case was unwise, and was calculated to do infinite mischief. The speech of the late Governor General of India (Lord Lawrence) upon this point was most conclusive; and he had shown the great danger of treating the Governor General of India with too high a hand. Nothing would be more calculated to imperil our supremacy in India than to allow it to be supposed that the Governor General, instead of being an independent authority, was a mere repeating instrument of those who held the reins at home. The Governor General should receive a large measure of support from home, for he had better means of forming an opinion on the spot than the Government at home could possibly have; and he might be influenced by circumstances which it would be impossible to communicate by letter, still less by telegram. It was all very well for the Secretary of State to lay down certain rules and principles of policy that were to guide the Governor General in his conduct; but the method of carrying out those rules and principles should be left to him entirely. He could not help thinking that the state of things which he so much regretted had its origin in the Manchester speech, by delivering which his noble Friend committed the India Office to the remission of a particular tax before opportunity had been afforded for a full discussion of the matter by the Indian Government and for consultation between the authorities at home and those in India. This was a new and a dangerous practice, and one which was likely to render the work of government more difficult than there was any necessity for it to be. He objected also to the practice which had grown up of exposing the inner machinery of government to the public eye. If this was to continue and spread, it also would increase the difficulty of governing the Empire and its Dependencies with the energy which was necessary for the public good.

THE EARL OF CARNARVON said, the discussion had come to be one in which certain noble Lords recommended a particular tax for remission and certain other noble Lords differed from their view. He should pass over this branch of the question and make a few remarks in reference to the light which the debate had thrown upon the delicate, and at the same time conflicting, relations which existed between the Imperial Government at home and the Government in India. In this connection it was impossible not to ask what was the real control exercised by the Secretary of State, and whether it was for the advantage of India that the control should be so exercised. He had heard with regret statements to the effect that the control had been exercised with reference to questions of detail and in a vexatious manner; and his regret had been due mainly to the fact that the speech of his noble Friend the Secretary of State had shown that nothing was further from his intention than to act in such a spirit. The object in view was to control the legislative rather than the executive department of the Government, as was shown earlier in the debate by that noble Lord who had occupied the position of Viceroy, and by checking legislation in its earlier stages to prevent the adoption of Acts which would have to be revoked. As his noble Friend had pointed out, a Law Commission was appointed during the period in which the noble Viscount (Viscount Halifax) who had raised the discussion was Secretary of State for India, and it was a fact that the Commission—the Indian Law Commission—which sat in England had more communication with the Imperial than with the Indian Government, and actually prepared the draft of a Bill which subsequently occupied the attention of Parliament. Subsequently there was no longer any proper channel of communication between the law-making power for India and the Secretary of State. In fact, his noble Friend as Secretary of State in 1876 was in a worse position as regarded his knowledge of Indian legislation than was the Secretary of State in 1867, for he was in total ignorance of the legislation which was prepared for India. Under these circumstances, the Imperial Government was placed in a wholly new position. The Secretary of State was vested with a control, and that control he was bound to exercise. As to the Governor General, he occupied a position of more importance than many of the crowned Heads of Europe, and anything which interfered with his proper dignity would be a dangerous and impolitic act. In former times the Governor General occupied a far more independent position than a holder of the office could do at present. Then India was remote from England and communication rare: now England and India were brought into close relations; and it was the duty of the Secretary of State to find out how far he could bring English feeling and English opinion to bear upon India, while at the same time maintaining untouched and secure the great fabric of our Eastern Empire. If the Secretary of State did not exercise those functions he abdicated his duty and was untrue to all parties interested. It was of first and prime importance that they should have undivided counsels—that the Government at home and in India should act as one undivided authority. But then it might be said that disagreement might arise. That must be so in the nature of things. But how was that disagreement to be got over? In one of two ways. The one was by the process adopted in the despatches of the noble Viscount who introduced the debate and by the noble Duke, of giving orders and commands to carry out such and such measures; the other was by the process adopted by his noble Friend by communication with the Governor General, by endeavouring to adjust matters so as to arrive at a common conclusion. By which of those two modes was friction and disagreement most likely to be avoided? Surely, by that of his noble Friend. His noble Friend who had been Governor General of India (Lord Lawrence) claimed practical independence for the Governor General in Legislative Council, as contradistinguished from the Executive Council. To him that appeared to be a very unreasonable distinction. It was in matters of legislation that the Secretary of State had not only a right, but was bound to express his opinion. On the other hand, it should be remembered that the Legislative Council consisted of two elements—the official and the non-official, the latter of which was necessarily independent; and if the claim were allowed, the actual governing power would pass into the hands of the Governor General in Legislative Council. Nothing could be more foreign to the idea of Parliament. When the Constitution of India was re-cast it would be useful to consider what the practice in our Crown Colonies was. He saw every week a greater disposition on the part of Colonial Legislative Councils to accrete to themselves fresh powers, and the abler those bodies, the greater their desire to obtain those powers. In the case of the

Crown Colonies the practice was this—the Governor sent to the Secretary of State his suggestions as to what he desired, and the Secretary of State issued his instructions, and sometimes sent out drafts of the proposed measure. If in Council the Bill underwent modifications, they were reserved for the consideration of the Secretary of State, and they were not adopted without his sanction. All those Councils were composed—as was the Indian Legislative Council—of the official and the non-official element, and in every case the official element was in the majority for this reason—that the power of the Crown might be maintained. In the Crown Colonies the Crown had retained the power of legislation and action by means of Orders in Council. The precedents were, therefore, on the side of his noble Friend's contention. Whether in India or in the Crown Colonies, and in every case except those of responsible Governments, the Crown must be the governing principle, and until the day of responsible government came for India she must be governed on the same principles as every other part of Her Majesty's dominions—namely, under the authority of the Crown.

Earl GRANVILLE said he had heard no sufficient answer to the arguments advanced on that side of the House with regard to the financial policy of the noble Marquess; nor any real defence of the course adopted by him in pressing for the abolition of these duties in preference to any others. He thought, indeed, it would be admitted that the grounds on which the noble Marquess had proceeded had been torn into shreds by the various speakers in this debate, and that the only answer given by the noble Marquess was that it was good policy to insist on the abolition of this particular tax, to which he himself admitted he could not attribute a protective character. The noble Marquess asserted that his noble Friend (Viscount Halifax) had written a despatch claiming the right of the Secretary of State to an absolute despotism over the Governor General, and that the noble Duke (the Duke of Argyll) had written in a similar sense. But, on the other hand, both his noble Friends had pointed out how seldom this power was to be used, how little it was to be strained, and how harmonious ought to be the relation between the Governor General and the Home Government. No one knew this better than the noble Marquess two years ago, as might be found in his despatches, where, while he asserted the responsibility of the Secretary of State to the fullest extent, he maintained also the desirability of treating the Governor General with respect. But he (Earl Granville) defied any impartial person to sum up this debate without admitting that, while noble Lords opposite agreed as to the authority the Governor General ought to exercise, the noble Marquess had strained the power of the Home Government to the fullest extent, and that he had not acted in a manner to maintain the dignity of that office or encourage a feeling of due responsibility in the Viceroy of India. He thought that some little explanation was due as to sending out Sir Lewis Mallet to India, because it seemed as if the Government were treating the Viceroy rather too much like the Khedive when Mr. Cave was sent to Egypt to put the finances in a satisfactory state. He believed that the effect of this debate would be to convince the public that the Government had commenced a policy of strict and exclusive government from home, which would be most injurious to India. Already a general opinion prevailed in India that the Governor General was no longer the high functionary he had hitherto been esteemed, but that he was to be in future under the immediate and constant direction of the Government at home. He quite agreed as to the merit of the noble Lord who had just been sent out (Lord Lytton); and no doubt, if this policy was to be continued, we might get young men of great ability and charming manners to go to India as Governors; but he was quite sure we should not get men of really high position in this country—men of experience who had formed opinions for themselves on Indian questions—if they were to go out with the feeling that no responsibility and no discretion was to be left to them; and with a younger man, however clever, we should destroy his power of making himself useful, inasmuch as we should take from him the feeling of decision and responsibility which ought to be called into play at times of emergency and in crises when it was impossible to meet the difficulties of the situation by despatches, or even by telegrams, from home.

THE DUKE OF RICHMOND AND GORDON said, the noble Earl reminded him of the Chorus in a Greek play, when he so frequently rose to say that none of the arguments put forward on his own side had been answered by the other. The arguments of the Opposition to-night recalled those which were used by the defenders of the protective system in this country, and it was interesting to hear them resuscitated and affirmed by those who had formerly answered them. In saying that a great deal must be left to the Governor General of India, that India must be governed according to Indian views, and that those in India were the only judges of what was good and proper for that country, it seemed to him that great injustice was done to the distinguished body of men who formed the Council of the Secretary of State. He could hardly reconcile the statements of the noble Lord who had been Governor General of India as to the course adopted now by the Secretary of State with what occurred when the noble Lord was Governor General, and when the noble Viscount, who was then Secretary of State, attempted what appeared to be a more direct interference with the freedom of the Indian Government than that now complained of—he referred to a despatch conveying a request that the consideration of a certain Bill might be postponed by the Governor General in Council; which request the noble Lord had accepted as a suggestion, and not as a positive requirement which might lead to embarrassment in the Council in the conduct of legislation. He (the Duke of Richmond and Gordon) could not conceive anything more despotic—to use a word which had been employed in that discussion—than the rule laid down and the course taken by the noble Viscount opposite himself on the occasion referred to in that despatch. No doubt the noble Viscount felt that he was justified in so doing; but he quite concurred in the observation made by several speakers that night to the effect that if a veto was to be put on any Act of the Government of India, it would be far better that it should be done before that Act had been passed and had come home to this country. The veto would assume a much milder form in the earlier stages of the proceeding than it would do if the Secretary of State had to exercise a really despotic power by putting an end to a Bill that had been passed by the Indian Council. He believed, therefore, that the course which had been pursued by his noble Friend the Secretary of State for India was a constitutional course, and far less arbitrary than the one which had been adopted by the noble Viscount and the noble Duke opposite.

VISCOUNT HALIFAX made a few observations in reply which were not heard.

VIVISECTION—LEGISLATION.

OBSERVATIONS. QUESTION.

LORD HENNIKER said, that he need not trouble their Lordships with more than a few words in asking the Question of which he had given Notice. He asked this Question because he knew that a large number of persons felt very strongly, as he himself did, on the subject of Vivisection. They fully appreciated the successful effort made by the Royal Commission to present their Report as early as possible, with a view to immediate legislation on the subject, and they hoped that the Government would deal with the question in the same spirit, by bringing in a Bill with the least possible delay. He begged to ask the Lord President, Whether Her Majesty's Government intend to bring in a Bill this Session to carry out the recommendations of the Royal Commission on the practice of subjecting live animals to experiments for scientific purposes?

THE DUKE OF RICHMOND AND GORDON said, the Royal Commission appointed to inquire into this subject had sat for a considerable time and taken a great amount of evidence. The Government did not in any way underrate either the importance of the evidence taken before the Commission or the very able and clear manner in which the whole question had been gone into and reported upon. He was sorry that he could not do more than give his noble Friend the assurance that the matter was under the consideration of the Government, and he was unable to say when any legislation would be attempted in regard to it.

House adjourned at half past Eleven
o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 14*th March*, 1876.

MINUTES.] — Select Committee — Referees on Private Bills, The O'Conor Don *disch.*, Mr. Butt *added.*

Supply—*considered in Committee*—Navy Estimates—*Resolution* [March 13] *reported.*

Public Bills—*Ordered*—Marine Mutiny *.

Ordered—First Reading—Ecclesiastical Assessments (Scotland) * [106].

Committee — Report — Manchester Post Office (*re-comm.*) * [100].

PARLIAMENT—EAST SUFFOLK ELECTION.—QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether his attention has been called to a correspondence published in the "Suffolk Chronicle" of March 7th, between Lord John Hervey and the Lord Lieutenant of the county (the Earl of Stradbroke), arising out of a complaint made by the former that he had seen a magistrate for the county taking an active part in mobbing, pelting, and attempting to hustle out of the Exchange Mr. Easton (at that time a candidate for the representation of East Suffolk) and his friends, in a manner which might easily have led to a serious breach of the peace; whether he remarked the following passage in the letter of the Lord Lieutenant, dated February 26th :—

> "The Conservatives were annoyed at finding themselves opposed by a Berkshire attorney who, it is supposed, is still land agent to Sir F. Goldsmid, and whose father was land agent to the Duke of Wellington, and received from his Grace a pension till he died, instead of meeting in open battle a representative of the Waveney interest, or of some great landed proprietor. The result of the late contest never admitted of a doubt; and it is pretty well known who paid Mr. Easton's expenses;"

and, if the letter is authentic, whether the Government intend to take any action in the matter?

Mr. ASSHETON CROSS: It is certainly wonderful the amount of things to which my attention is supposed to be called. Though I have no objection to answer a Question which is fairly put, I have the strongest objection to answer a Question which only represents half the case. As the hon. Member has thought fit to call the attention of the House and the country to the last paragraph of a certain letter, I cannot help saying that it is a pity he did not call the attention of the House and the country to the former paragraph of the same letter. The Lord Lieutenant, in writing to Lord John Hervey—and writing in the first instance more in the character of a friend than as the Lord Lieutenant writing to a person who had complained to him—says—

> "No doubt it would have been wise if Major Whitbread had endeavoured to appease the excited feelings of the company. You accuse him of encouraging them. He replies that he pushed and was pushed against, and that you also had pushed. I have in the course of my life been placed in the same disagreeable position, and if a man is pushed down he may be dangerously trampled upon."

He then expresses a view which I am bound to say I think is a very sound one. He says—"Surely, under these circumstances, it would be best to forget the whole transaction." Having thus dealt with the case complained of, the last paragraph might have been treated as irrelevant to the subject, and as coming from an old gentleman who had long known the person who had written to him, and who replied in a friendly spirit.

BOROUGH BOUNDARIES.—QUESTION.

Sir SYDNEY WATERLOW asked the Secretary of State for the Home Department, Whether he proposes this Session to introduce a Bill to amend the Law relating to the enlargement or alteration of the boundaries of Municipal Boroughs, with the view of enabling them to be enlarged or altered for all purposes by Provisional Order, subject to confirmation by Parliament, in the same manner that the boundaries of certain urban sanitary districts may now be extended or altered?

Mr. ASSHETON CROSS, in reply, said, it was not the intention of the Government to deal with this question with the view of enabling the boundaries to be enlarged or altered by Provisional Orders. There was a great difference between enlarging the boundaries of urban sanitary districts and enlarging the boundaries of municipal boroughs. The boundaries of municipal boroughs were settled by a regular Commission, and they must take care that they did not interfere with the Parliamentary representation of the boroughs simply by Provisional Order.

THE SUEZ CANAL.—QUESTION.

Sir H. DRUMMOND WOLFF asked Mr. Chancellor of the Exchequer, Whether the negotiations between Colonel Stokes and M. de Lesseps relative to the future management of the Suez Canal have arrived at the stage at which they can be communicated to Parliament; and, whether, before any arrangement is finally concluded on the subject, Parliament will have an opportunity of expressing an opinion thereon; and whether such opportunity will be given to the House before the proposals are laid before the general meeting of the shareholders of the Canal?

The CHANCELLOR of the EXCHEQUER, in reply, said, the Question was not, on the face of it, perfectly clear as to what negotiations the hon. Member referred to; but he concluded that he referred to the arrangements for the representation of British interests upon the Canal Company. He did not think it was advantageous that the details of such negotiations and arrangements should be made the subject of discussion in Parliament before they were laid before the shareholders.

CRIMINAL LAW—WIFE DESERTION—CASE OF GEORGE WARRINGTON.

QUESTION.

Mr. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether it is true that at the Salford Hundred Sessions lately held George Warrington, a clerk, thirty-three years of age, was ordered to be flogged for leaving his wife and children chargeable to the Salford Union; and, whether the sentence has been carried into effect; and, if not, whether he will direct it to be commuted?

Mr. ASSHETON CROSS, in reply, said, it was quite true that the person in question was brought before the Quarter Sessions, charged with deserting his wife and children, and as an "incorrigible rogue." He had been several times convicted for other matters, and four times within the last three years had been sentenced, for neglecting his wife and children, to one month, to two months, again to one month, and, lastly, to four months' imprisonment. He was, therefore, sentenced at Quarter Sessions as an incorrigible rogue and vagabond. It was right to state that on his last conviction one of the magistrates had actually made a place for him, and given him fair wages for his work. Shortly after he left his work, and committed the offence for which he had been convicted. The magistrate who tried him was a barrister of long standing, of the highest character, and of very great experience.

BANKRUPTCY JURISDICTION (IRELAND).—QUESTION.

Mr. CHARLES LEWIS asked the Chief Secretary for Ireland, Whether the Government will be prepared to introduce into the Irish Judicature Bill or the Civil Bill Courts Bill this Session provisions to meet the wants of the commercial community of the north of Ireland of a Local Bankruptcy Jurisdiction?

Sir MICHAEL HICKS-BEACH: The Lord Chancellor of Ireland and I have this afternoon received two important deputations from Belfast, and both with regard to local bankruptcy jurisdiction. The Lord Chancellor informed those deputations that, having regard to the importance and number of the Irish legal measures already introduced by the Government, or shortly to be introduced; to the difficulties of instituting those local jurisdictions; and to the fact that other amendments in the Bankruptcy Law had been suggested, the Government did not feel in a position to deal with this matter during the present Session.

PEACE PRESERVATION (IRELAND) ACT—PROCLAIMED DISTRICTS.

QUESTION.

Sir JOSEPH M'KENNA asked the Chief Secretary for Ireland, Whether he will lay upon the Table of the House a Return setting forth the Counties or other Districts of Ireland which lay under the proclamation of the Lord Lieutenant on the 1st day of March last, and specifying those which remained subject to proclamation on the first instant?

SIR MICHAEL HICKS-BEACH: The hon. Member will find in Return No. 231 of the Session of 1874 information showing the districts in Ireland proclaimed at that time. Since March 1, 1875, the ordinary proclamations have been revoked in the counties of Carlow, Wexford, Kildare, Wicklow, parts of Fermanagh and Down, and the special proclamations which were in force in Meath, Westmeath, parts of Cavan and Clare, expired on the 1st of June last, with the expiry of that portion of the old Peace Preservation Act which empowered them to be issued.

THE BANKRUPTCY LAWS—LEGISLATION.—QUESTION.

MR. BELL asked Mr. Attorney General, Whether the Commission appointed to inquire into the propriety of altering the Bankruptcy Laws have presented a Report, and what steps Her Majesty's Government propose taking in reference to this question?

THE ATTORNEY GENERAL, in reply, said, no Commission had been appointed to inquire into the propriety of altering the Bankruptcy Laws. A small Departmental Committee had been appointed by the Lord Chancellor to inquire into certain points in those laws, and a Bill to carry out the views of that Committee would be introduced as soon as the progress of Public Business would permit.

THE ROYAL STYLE AND TITLE.

QUESTION.

SIR WILLIAM HARCOURT asked the First Lord of the Treasury, Whether the policy of changing the style and title of the Crown, in the manner recommended by Her Majesty's Government, has been submitted for consideration and advice to the Governor General of India in Council or to the Council of India, so far as such change may affect both the subjects within Her Majesty's territories in India, and also the rights, dignity, and honour of the Native Princes of India as guaranteed to them by the Proclamation of November 1st, 1858?

MR. DISRAELI: "So far as such change," as the hon. and learned Gentleman terms what we call an addition to the title of Her Majesty, "may affect both the subjects within Her Majesty's territories in India, and also the rights, dignity, and honour of the Native Princes of India as guaranteed to them by the Proclamation of November 1st, 1858," I have to state that it has not been found necessary to submit that question "for consideration and advice to the Governor General of India in Council or to the Council of India," because Her Majesty's Ministers are convinced that the addition to Her Majesty's title which the hon. and learned Gentleman calls "change" does not in the least affect "the subjects within Her Majesty's territories in India" nor "the rights, dignity, and honour of the Native Princes of India as guaranteed to them by the Proclamation of November 1st, 1858."

SIR WILLIAM HARCOURT gave Notice that he would to-morrow move an Address to the Crown, praying that a list might be communicated to that House of the Native Princes of India with whom Her Majesty had Treaties now in force.

JAPAN AND COREA—DISPUTE BETWEEN COREA AND JAPAN.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether it is true that Japan has declared war against the tributary kingdom of Corea; and, whether any telegrams have been received by the Foreign Office from which the attitude of China towards Japan may be judged?

MR. BOURKE: I have observed in *The Times* one or two telegrams on this subject, and yesterday a telegram purporting to be dated from St. Petersburg on the 10th of this month. That telegram said—

> "According to information derived from Government circles, war broke out the day before yesterday between Japan and Corea. Japan declared war, and the Corean ports are said to be blockaded by the Japanese fleet."

Now, "the day before yesterday" was the 8th, and according to a telegram which has been received at the Foreign Office from Her Majesty's Legation in Japan, dated the 8th, we hear that negotiations between Japan and Corea were concluded, and a Treaty was signed on February 27 which had been ratified by the King of Corea—so that the information we possess is exactly the reverse of that contained in the telegram to *The Times*. These are the facts as we receive them, and of course I do not give an opinion as to which telegram is correct, although I hope that the official information we have is substantially true. With regard to the last Question, in respect of the attitude of China, I may say that we have a telegram from Pekin, and we hear that a Japanese mission had arrived at Pekin on the subject of Corea, and that the Chinese Government had informed the mission that they did not intend to take any part in the dispute between Corea and Japan.

ARMY—GARRISON OF DUBLIN—TYPHOID FEVER.—QUESTION.

Mr. CLIVE asked the Surveyor General of the Ordnance, Whether it is true that there are many cases of typhoid fever in the Garrison of Dublin; and, if so, whether any and what barracks in that city are free from the said fever?

Lord EUSTACE CECIL: The returns I have received from Dublin show that there have been six cases of typhoid fever in Dublin barracks. There is one case in the Pigeon House Barracks, four at Beggar's Bush, and one at Island Bridge Barracks—in all six cases. I know of no other case of fever in the garrison of Dublin.

IRISH ANTE-UNION STATUTES.

QUESTION.

Mr. LAW asked Mr. Solicitor General for Ireland, Whether it is the intention of Her Majesty's Government to introduce a Bill this Session for the revision of the Ante-Union Statutes of Ireland?

The SOLICITOR GENERAL for IRELAND (Mr. Plunket): It is the intention of the Government, as soon as conveniently may be, to effect the revision of the Irish Ante-Union statutes; but, having regard to other more important legal Bills which we have already on hand, I cannot yet undertake to say that we shall during the present Session introduce such a measure as my right hon. and learned Friend suggests.

EQUITY COURTS (IRELAND) — LORD JUSTICE CHRISTIAN.

PERSONAL EXPLANATION.

Mr. LAW asked the indulgence of the House while he made an explanation with respect to a statement made by the Prime Minister on the previous evening as to the part which he (Mr. Law) had taken with reference to the appointment of a second Judge in the Landed Estates Court in Ireland. The right hon. Gentleman was reported to have said that the Government had appointed a second Judge in that Court owing to a very strong expression of opinion in that House, and that he (Mr. Law) and his hon. Friend the Member for Cork (Mr. M'Carthy Downing) had both spoken in favour of the adoption of that course. So far as he was concerned, that statement was not correct, for he had taken no part whatever in the discussions on the subject save this, that when during the debate on the second reading of the Irish Judicature Bill in July, 1874, reflections were made on the late Government for not appointing a second Judge of the Landed Estates Court he (Mr. Law) had stated, as was the fact, that they had not appointed a second Judge because they had been informed by the surviving Judge that no such appointment was necessary. Now, he did not think that by any stretch of imagination this observation could be regarded as putting any pressure on the Government to appoint a second Judge. The only connection, indeed, which he could be said to have had with the matter was that on the 8th of July, 1874, when he was informed that the Government had determined to make the appointment, he announced it to be his intention to place a Notice on the Paper to amend the Bill then under discussion by transferring to the Landed Estates Court certain business connected with the office of the Receiver Master. It was a mistake to suppose that he had ever tendered such advice as that attributed to him by the right hon. Gentleman, and he was desirous of relieving himself from the charge of inconsistency which such a statement involved.

Mr. DISRAELI: Perhaps the House will allow me, without formally moving the adjournment, to say a few words, and to give my authority for the statement which I made. I was under the impression that we were urged by several Gentlemen, some of whom sat opposite, to revive the second Judgeship in the Landed Estates Court, and I did mention the name of the hon. Member for

Cork (Mr. Downing). The Bill passed the House of Lords with only one Judge; but when it had been read a second time in this House and was in Committee Mr. Downing gave Notice of an Amendment to the effect that there should be a second Judge. The right hon. and learned Member for Londonderry who has just addressed the House gave Notice that in case that Amendment were carried he should propose that the jurisdiction of the Receiver and Master, except in cases of lunacy, should be transferred to the Landed Estates Court. The Government acted upon the suggestion that there should be two Judges, and adopted at the same time the proposal of the right hon. and learned Member. The hon. Gentleman the Member for Kildare (Mr. Meldon), the hon. Baronet the Member for King's County (Sir Patrick O'Brien), and the hon. Member for Louth (Mr. Kirk), were also in favour of that change, and I considered that I was justified in making the statement I did when I observed that the hon. Member for Cork proposed an absolute Amendment to the effect I have stated, and that the right hon. and learned Gentleman, the late Attorney General for Ireland, contingently upon that Amendment being adopted, gave Notice of a proposal which could not be carried out unless a second Judge were appointed.

DR. WARD gave Notice that he would put a Question to the Government as to whether it was true that Judge Flanagan, who for some time was the sole Judge of the Landed Estates Court in Ireland, had stated that one Judge was sufficient to discharge the duties of the Court, and that he himself was quite equal to their performance.

MR. CALLAN said, he would further ask whether that statement on the part of the Judge was not accompanied by the suggestion that his salary should be increased by £1,000 a-year.

CONTAGIOUS DISEASES (ANIMALS).

RESOLUTION.

MR. CLARE READ, in rising to call attention to the Report of the Contagious Diseases (Animals) Act Committee, 1873, and to move—

> "That, in the opinion of this House, the general orders and regulations for the stoppage of disease should cease to be varying or permissive, and should be uniform throughout Great Britain and Ireland,"

said, it would be in the recollection of those hon. Members who had a seat in the House during the last Parliament, that in the year 1873 he moved for a Committee, and that by the courtesy and support of the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) that Committee was granted. He (Mr. Read) had nothing to do with the nomination of that Committee. As usual, it was appointed by the Whips on both sides of the House, and he found himself in rather a hopeless minority. But there were two very important Resolutions which were passed unanimously by that Committee. There were only two, and those were to his mind of great moment. They were, first—

> "That an endeavour should be made to stamp out pleuro-pneumonia by the slaughter of diseased cattle, and that the owners should be compensated for their loss,"

and the other was—

> "That the orders for the stopping of disease should cease to be varying and permissive, and should be uniform throughout Great Britain and Ireland."

Now, no sooner was the Report of that Committee published, than the right hon. Gentleman the Member for Bradford issued an order for the slaughtering of animals affected with pleuro-pneumonia in Great Britain, and the compensation of the owners of half their value. He had said, on a previous occasion, that he thought the right hon. Gentleman had acted in a "great hurry." He had since been given to understand that that expression had caused pain to the right hon. Gentleman. This being so he desired to withdraw those words, and he would say instead the order was issued without full consideration. There were four recommendations upon this point made by the Committee; but of these the right hon. Gentleman adopted only one. One recommendation was that the slaughtering should be universal; but as would be seen Ireland was omitted from the order. The next was that compensation should be extended to three-fourths of the loss. The other was that animals should be isolated for two months instead of one month. Well, he was quite sure that the right hon. Gentleman would forgive him for saying that it was his intention to remedy these deficiencies if he had remained in office. But shortly afterwards that Government went out and the present Ministry assumed power, and great was the delight of the English farmers when they knew that the Duke of Richmond was to be President of the Council. ["Hear, hear!"] Yes, very great was the delight of the farmers, because they knew his Grace was a practical agriculturist, a man of unusual good sound common sense, and a politician of a high order. But things seemed to go on in the same way after the change of Ministry. In the month of May it was considered necessary that a friendly deputation should wait upon his Grace and impress upon him the necessity of carrying out some of the recommendations of the Committee. He (Mr. Read) made one of that deputation, and urged upon his Grace that the slaughter for pleuro-pneumonia should be extended to Ireland, or if that could not be done, that the order in force in Great Britain should be rescinded. They were told, however, that it was almost impossible to do what they wished. There was the spectre of the emaciated Irish cow, which seemed to frighten the Council and was held up to frighten them. They, however did not see the spectre in that light. The result was that constant Petitions were sent up to the Privy Council asking them to extend the order or to rescind it. Amongst others, two were sent from the quarter sessions in Norfolk, and an eminent veterinary surgeon, Mr. William Chambers, from the Privy Council at Dublin, was appointed to investigate the matter. He made a Report which went to show that their complaint had not been groundless. The hon. Member for Forfarshire (Mr. Barclay) had asked in the House for Mr. Chambers' Report, and he was told that he could not have it unless he also wished to order a Report which had been made by the Chief of the Dublin Veterinary Department. In the Report referred to, Professor Ferguson said there was really no pleuro-pneumonia in Ireland of any consequence, and that as regarded the disease in Norfolk, it was engendered in consequence of cattle being housed in the winter, and kept in boxes and strawyards. Now, Professor Ferguson, he believed, held the opinion that pleuro-pneumonia originated spontaneously, and he had also advised that when foot-and-mouth disease broke out in a herd that was just ready for market, the best thing to do was to keep the animals at home that were actually diseased, and send the others to the next market. And what did that mean but most probably sending them to England? On the first day of the Session, he (Mr. Clare Read) laid upon the Table of the House a Resolution, which was to the effect that this slaughtering order should be extended to Ireland or rescinded. A very few days after that Notice was put upon the Paper, the Duke of Richmond, in "another place," stated that the request would be granted. He (Mr. Read) therefore had to withdraw that Resolution and he did it with a great deal of pleasure, and he was only sorry that it took two years to produce such an effect upon his Grace. The Government sought to accomplish this with a small Bill of 12 clauses, which one would have thought could have passed in March, 1874, as well as in March, 1876. He (Mr. Read) had then to alter the Motion which stood in his name, and it was to the effect that there should be uniformity of regulations throughout the United Kingdom. There were three sorts of orders issued by the Privy Council, and he only wished to interfere with one. As far as regarded their local and foreign orders, he had no desire to say anything against them at the present moment, and if they wanted to issue special orders he should be very glad to trust them with even greater powers. If, for instance, a new disease should break out in Wiltshire—and it was within the bounds of possibility for such a thing to take place—they should have powers to issue stringent orders for the stoppage of that disease; and, again, if a cattle plague were to be introduced into Hull, they should have powers to issue an order stopping fairs and markets in the East Riding of Yorkshire, without applying to the whole of the county. They were told that this was the Irish difficulty again, that somehow always cropped up, but here it seemed to be more imaginary than real. The Irish Cattle Defence Association had passed the following resolution:—

> "That it is most desirable that the regulations with regard to contagious diseases in animals should be uniform in Great Britain and Ireland."

He presumed, therefore, that this matter would not be looked upon as an Irish difficulty, and that his Motion would have the support of the Irish Members opposite. His opinion would always be considered that of a narrow-minded farmer, and that he was peculiarly prejudiced in this matter: he would, therefore, refrain from giving his own views, but would quote those of wider and greater authority. A few days ago an eminent veterinary surgeon connected with the Royal Engineers, Mr. Fleming, read at the Society of Arts a most exhaustive paper upon contagious diseases amongst cattle, and this was what he said—

> "We require a more energetic, responsible, enlightened, and efficient central administration. There should be no permissive legislation for the control of contagious diseases by local authorities, who often have no interest in their exclusion and suppression, but more frequently have every inducement to wink at their existence, in order that they may obtain credit for keeping down county rates and filling their markets. Whatever measures may be necessary should be universally applied throughout Great Britain and Ireland, and, if possible, with more vigour to those parts which export."

What had the Privy Council done to carry out this recommendation of the Committee of 1873? The right hon. Gentleman the Member for Bradford at once adopted the recommendations and rescinded the orders then in force; but the Duke of Richmond, in 1874, re-enacted them, because considerable pressure was put upon him by owners of stock. The reason that was given in the Report of the Veterinary Department was, he thought, singularly illogical. It was said that it was in consequence of the general prevalence of the disease that they issued the orders. It might be useful on the first outbreak of a conflagration to bring out a garden engine, or to use it to smother the dying embers; but it would be powerless when the fire was at its height. So when the whole country was reeking with infection, and when there were not only thousands, but tens of thousands of local outbreaks, it was absolutely ridiculous to suppose that these permissive orders would have the effect of stamping out the disease. When asked by the Monmouthshire Chamber of Agriculture to make some more stringent regulations, the answer given by the Privy Council was in entire forgetfulness of the fact that they had disregarded the recommendations referred to, and that they had re-enacted orders that the right hon. Gentleman the Member for Bradford had rescinded. He would quote from a scientific record, which said the policy of the Veterinary Department "was vacillating, timid, half-hearted, timeserving, and contradictory," and he might add that he endorsed that view. Further, he would add that the Veterinary Department seemed to imagine that they could extirpate disease as easily as the Turnpike Act Continuance Committee could abolish a turnpike trust. Speaking of the Act of 1869, Mr. James Howard, in a sound and most useful practical paper read last month at the Farmers' Club, said—

> "Its great defect was that it left too much power in the hands of the Privy Council Department. At all events, I am sure you will concur with me that the powers given under the Act have not been as wisely used as they might have been, or as Parliament had a right to expect."

Mr. Howard continued thus—

> "The present Government would seem to have left themselves completely in the hands of their intractable and incompetent permanent officials."

Now, in the Committee they had strong evidence from the officials of the Department that they had at least one article of faith, which was faith in inspection; —inspection to discover diseases which everybody admitted had an uncertain period of incubation, varying from a few days to several months. On this matter, Mr. Fleming said—

> "I have no faith in port inspection for the detection of contagious diseases, and am convinced that it is a fallacy. It is impossible for any Inspector to detect diseases in a latent form, or to discover if apparently healthy animals have herded with those which were sick; and unless he can do this, in a very many instances his services must be worse than useless."

Since the Report of the Committee it might be asked what had the Veterinary Department done to enlighten them and to stop the spread of the disease? Why, in their last Report they published an experiment made outside the office by a veterinary surgeon, not an official, upon inoculation for pleuro-pneumonia. He fancied he had read that months previously in a veterinary journal. The Professor came to the remarkable conclusion that inoculation was "dubious," and so he thought were a great many things that were issued from that Department. In a special Order issued from the Department the authorities throughout the kingdom were told how they might detect the incubation of the disease by the application of the thermometer. But in 1865 Professor Gamgee had written to *The Times* making this matter quite clear. Well, if this was all they could tell them 10 years after that letter had appeared in *The Times* on the subject, he might answer by saying it was impracticable, for the reason that whatever they might be able to do in a London dairy where the cows were as docile as pet lambs, it would be more difficult to carry out this scientific examination under other circumstances. He would like to see some Members of the Council go into a marsh where there were a lot of wild Irish cattle, or even into a straw yard with some lively shorthorns, to apply this scientific test. He admitted that they had been fairly successful in keeping out the cattle plague, and he mentioned it with much pleasure. From 1842, when foreign cattle were first admitted into the country, up to 1865, they had had only one outbreak, and since then—within the last 10 years—they had had only one other visitation. In 1865 there was a Cattle Plague Commission appointed. It was not selected with any idea of balancing parties, but seemed to be chosen for the purpose of ascertaining truth. There were on that Committee the right hon. Members for the University of London (Mr. Lowe) and Edinburgh (Mr. Lyon Playfair), and a large number of scientific men, well versed in the practice of medicine and the pathology of diseases. And he could well remember the storm of indignation with which their first Report was received. Some people called the Commissioners barbarous and unscientific, and contended that the disease had originated from the filth and the want of sanitary precautions in the London cow-houses. The cattle plague was stamped out by listening to the recommendations, pleuro-pneumonia was almost got rid of, and for 18 months they exterminated foot-and-mouth disease—it was not until foreign sheep were turned out of the Metropolitan Market suffering from that malady that there was a return of it in the country. The second Report of the Commission was one which, if it had been attended to at the time, would, he was convinced, have led to their now having a clean bill of health. The second Report was that—

> "Mere inspection is an imperfect defence. There is, in fact, but one class of precautions likely to be effectual: to restrict importations absolutely to a certain number of ports, to cause all fat cattle to be slaughtered there, and all store cattle to undergo a period of quarantine."

This was not a resolution passed by a Chamber of Agriculture or a Farmers' Club, but by the Royal Commissioners, the great body of whom were scientific and learned men. The Select Committee of 1873 learned from the evidence of officials that they depended very much for their information as to cattle diseases in other countries upon official correspondence. With regard to cattle plague this was easy enough, because as any one who read the foreign newspapers would know that the regulations in different districts were published, but let them come nearer home and see what information the Veterinary Department received with regard to these two diseases — pleuro-pneumonia and the foot-and-mouth. Take Belgium and Holland. Everyone but the Privy Council knew that the foot-and-mouth disease was rampant in those countries during the year 1874—not a word of this reached the Department, and yet we had imported 342 cases from Belgium and 418 from Holland. Pleuro-pneumonia was rife in the latter country, and there were annually no fewer than from 2,000 to 6,000 cases in 1,500,000 head of cattle. Belgium and Holland were only separated by a road or a ditch, and yet no Report was furnished to this country as to any pleuro-pneumonia existing in Belgium. Germany was in a better position and was well informed, and had prohibited cattle imported from Holland, Belgium, and Luxemburg. What he wanted to ask the House was this—was it fair, was it right to the agriculturists of the kingdom, that if they were going to make a costly experiment—a harassing experiment also he should call it, for the extirpation of pleuro-pneumonia—was it just to them to neglect to take reasonable precautions against the re-introduction of the disease into the country? What were the precautions and the protection now adopted? Simply this; a detention of 12 hours to find out a disease that veterinary surgeons told them was in incubation from three weeks to two months. It was impossible, therefore, that the disease could be detected in the time allowed, except by the merest accident. He had moved in the Committee, that if this experiment was to be tried, all those countries where pleuro-pneumonia was in existence should be scheduled; but he was defeated by a majority of one. If necessary, in the case of Dutch cows, he considered that they should be quarantined 28 days, and inoculated. The best London dairies always adopted that plan, they never thought of taking them into the stalls without they had been quarantined and inoculated. Therefore, he would say, it would be no hardship if this course he advocated were made general and compulsory. Then with regard to store stock, it was well known that very few stores found their way into this country, unless they were starved out on the Continent. On the Committee they had before them some evidence as to the percentage of the foreign supply. Some years ago he made a sort of random shot—a rough guess that it was not more than 5 per cent. The Veterinary Department, in 1871, made a calculation that brought it to 14½ per cent, but he saw that last year they had reduced it to 10 per cent; but he much preferred the more accurate calculation made by Mr. John Algernon Clarke. That gentleman had said that the percentage of live meat introduced into the country was 5 per cent, that of dead meat 12 per cent, and the home production of meat 83 per cent. And yet for the sake of this 5 per cent, the 83 per cent that was produced at home was constantly in danger. The supply of foreign cattle was mainly to London, and he would ask the House to consider what were the regulations in force in the metropolis. When the Deptford Market was opened, the tolls at Islington were doubled. Deptford, though a most excellent market, had no railroad accommodation, and it must be almost impossible that the cattle slaughtered there could be sent into the provinces and manufacturing towns without some extra cost and considerable delay. And then with regard to the foreign trade; most people knew what the regulations were—that if one animal from an unscheduled country happened to be diseased, the whole of that cargo was to be sent to Deptford Market, so that when the cattle had been landed on the North side of the river, and one was found diseased, the whole had to be re-shipped and sent to Deptford, and this was a matter of serious complaint. Mr. G. A. Robinson, who was a large dealer in cattle, and likewise a considerable shipowner, had said that in the case of even Spanish and Portuguese cattle it would be better if they went direct to Deptford. If any hon. Gentleman would go into the Metropolitan Market at Islington, any Monday, they would see whole lots of foreign stock which were there bought by butchers from Deptford. These cattle had been landed on the North side of the Thames, and were detained there 12 hours in most uncomfortable lairs. They then had to walk, or were sent by rail to the Metropolitan Market, and after being there some time, they were put into lairs, and taken back through the crowded streets of the metropolis to Deptford Market, within half-a-mile, in all probability, of the place where they were landed. With regard to the carriage of dead meat, it was very desirable, indeed, that every facility should be given for its extension, both on sanitary grounds and in the cause of humanity. If Aberdeen could furnish a supply at a distance of 540 miles, there was no part of England from which meat could not be sent to the metropolis; and he was happy to say the supply was increasing. During the cattle plague restrictions it was generally supposed that some of the Midland Counties would be starved; but they were never better supplied than at that time, and he had heard from Mr. Odams that from his wharf dead carcases were forwarded to Manchester at less cost than live animals. Once more he would quote Mr. Fleming—

> "Animals fit for immediate slaughter should, if they must be carried alive to our shores, be killed at the port of debarkation. There need be little difficulty in this. No country in the world is better situated for the carrying out of such a proposal. With numerous excellent ports studded in most favourable situations all round our coasts, and railways traversing the country in every direction, there is no reason whatever why the present inconvenient, and only too often very cruel system, of conveying ship-exhausted and perhaps diseased cattle long distances in railway trucks all over the land, and at a great risk to home stock, should be continued. To abolish it should tend to cheapen flesh

from foreign sources, diminish the chances of introducing fresh supplies of contagion, and would certainly prove most humane and economical."

The Bill which was passed last year gave new life to the slaughter-houses in London. Thirty years ago slaughter-houses were condemned by a Bill passed through Parliament by Sir Robert Peel; but a Committee, of which Dr. Brewer was Chairman, was appointed, and they reported that slaughter-houses were most healthy and pleasant places. The result was a Bill was passed for the continuance of these slaughter-houses, whilst in almost every other country, and in some of our provincial towns, they had been abolished. With regard to the regulations for the extinction of pleuro-pneumonia, they were not in the first place yet extended to Ireland, though they were to be shortly. Then the isolation of suspected stock was not increased to two months as the Committee had recommended. Further, the compensation for slaughter, which was one-half of the full value, had not been extended to three-quarters of the loss, as the Committee had stated should be the case. With regard to this he might say that some people might contend that three-fourths was too much, but considering that the regulations would be more stringent, and that the cattle would be isolated for two months instead of one, he thought they would find that the compensation would not be too heavy. They should not only pay the absolute loss, but should offer inducements to stockowners to endeavour to give the earliest notice of the outbreak, and so put a stop to disease. He thought another inducement would be to allow the salvage of some of the best beasts slaughtered. A man should be allowed to make as much as he could out of a good beast, and the meat was not unwholesome in the slightest degree during the first stages of pleuro-pneumonia. The disease was then nothing more nor less than inflammation of the lungs, and did not extend to any other portion of the bullock. When the foot-and-mouth disease became much advanced—and this was frequently the case with cattle slaughtered in London—it was believed the condition of the meat to be worse than pleuro-pneumonia if the animal was at once killed. With regard to the compensation and salvage, he would give a few statistics from his own county—namely, Norfolk. In 1874 there were 892 cases of pleuro-pneumonia, and the compensation paid was £4,838, whilst the salvage amounted to £6,675. In 1875 the number of cases was 446, the compensation amounted to £2,282, and the salvage to £3,100. This gave a total amount of salvage of close upon £10,000. They had taken the precaution to have the meat thoroughly examined by gentlemen who were expert in the use of the microscope, by learned doctors and men who had great experience as sanitary Inspectors, and they all pronounced the meat to be perfectly sound and good. But as to the salvage, that he thought was a question which might be very well left to the local authorities because, in his opinion, it had nothing whatever to do with the spread of the disease. The veterinary Professors told us that as soon as the breath was out of a bullock all infection was stayed—therefore, he did not see the use of burying the carcase. The result of the one-sided experiment that they had tried for two years and nine months was not, on the whole, unsatisfactory—for we had admitted over 600,000 cattle from Ireland, where the experiment had not been tried, in 1874—the number affected was 7,740, and last year was 5,860. The Privy Council seemed astonished at a rise of nearly 1,000 in the number between 1873 and 1874; but he was astonished that the number was not larger. Last year the number of cases reported in Ireland was stated to be 281, and he was almost positive that next year the cases in Dublin alone would amount to that number, and throughout Ireland to ten times as many. He had reason to believe that Phœnix Park was hardly ever free from this disease of pleuro-pneumonia. When he was there he noticed the quarantine ground, which they in Norfolk would call a pit-hole. The healthy animals pushed their noses through the fences and sniffed the breath of the sickly beasts, and no doubt in that way communicated the disease. Since this state of things had been noted by the Earl of Kimberley, a second wire fence had been put up some distance from the old fence, and he hoped that was but the beginning of better regulations in Ireland. The hon. Member for South Devon (Sir Massey Lopes) had said that he was wrong in supposing that there was much pleuro-pneumonia in Ireland, and he believed there was very little in the South of that country. The cattle that went to the south-western portion of England were shipped from that part of Ireland; but he thought he was right in saying that in the South of Ireland, particularly in Cork, there had been many years ago a considerable outbreak of pleuro-pneumonia. It had been stayed by the slaughter of the diseased animals and the inocculation of those that herded with them; and he would submit to the authorities in Ireland that the excellent experiment which had proved so successful should be tried now. To show the ease with which the disease could be communicated to this country, he would point out that if a bullock in Ireland happened to have pleuro-pneumonia there and was knocked on the head very little injury would arise; but if they shipped it, and the animal was put on board with 300 or 400 others which had to breathe the vitiated air for a number of hours, it was possible that the one animal would spread the disease amongst at least 100 more, and consequently when they came to England the disease might break out in 20 or 30 different places. He had been told that he was an enemy to the Irish farmer. Well, he was not aware that he was, and he certainly did not wish to be. The Cattle Defence Association in Ireland he found had adopted his views entirely, and he would say more to prove that he was not an enemy to the Irish farmer—namely, that in Norfolk they imported from 30,000 to 50,000 store stock during the year, and if that importation was to cease, during the spring months a great many towns in the country would be half starved, and Norfolk farmers would be ruined. He only wished that Ireland might be treated as an integral part of the United Kingdom. If Ireland could show a clean bill of health and her cattle were inspected at the ports of embarkation, he would send them straight away to their destination in England. That was what he had said before, and he hoped Irish Members would not think that he was so wild and unjust to the interests of their country as some had endeavoured to make out. With regard to the difference in the spread of infection by animals affected with pleuro-pneumonia and those suffering from foot-and-mouth disease, it was said that pleuro-pneumonia could only be spread by actual contact, but with regard to the other disease that it could be conveyed by a great many means. It required only a short hatching time it was true; but with regard to the idea that it was an epidemic, was spontaneous and came in the air, he would say that he did not believe that it was any more indigenous to this country than cholera or yellow fever. It was a contagious disorder and therefore was a preventible one. Mr. Fleming said—

> "These maladies are 'exotic' or foreign to our soil, and are, or have been, introduced from countries where they are more or less prevalent. They cannot be developed here by any combination of circumstances or conditions, but depend solely for their maintenance on their contagious properties."

Then they would ask, "Why don't you try to prevent it?" He feared the country would not stand very stringent regulations. They ought to, and no doubt they would before very long; but at the present time they would not agree to a total stoppage of the fairs and markets, which was the only way to get rid of it. With the existing regulations they had now the maximum of restriction and the minimum of benefit. The hon. Member then proceeded to remark upon the difficulties in the way of putting an end to the disease, offered by the complicated rules, stating that he knew a gentleman who had a farm in three counties, and who had three separate and distinct rules for three different parts of that farm. He was certain these diseases did not originate here; but was also sure of this—that dirt and starvation and foul air, dirty trucks, bad lairs, and overcrowded steamers very much contributed to develop and spread these distempers. Take the case of an Irish fair. They went there and saw healthy, blooming cattle. The beasts stood there all day; were driven hurriedly to the station in the evening; had to stay there in the lairs or pens in all probability for hours, and then were put into trucks which were most likely very far from being clean, and they were then sent to Dublin, the lairs in which they were put being covered with slush and mud for the most part. And here he would say that the lairs ought to be surrounded with sheds properly pitched and carefully cleansed. The animals were then put in the hold of the ship, the ventilation of which must be, from the nature of the case, bad. They were landed at Liverpool, pushed into the train, and sent away, perhaps to Norfolk, and turned into a damp marsh before being brought to market next day. Now, in his opinion, cattle should be rested for the purpose of being fed and watered when landed in England. But on this proposition in the Committee he had only the support of the hon. Member for Leicestershire in what he thought a most humane and reasonable restriction. He was very glad to find that the recommendation of the Committee as to having travelling Inspectors had at last been adopted by the Government. So far these officials had performed their duties effectually and satisfactorily, though he was not aware they did them any better for having been officers in the Army. Proceedings had been instituted against the London and North Western Railway. They had had the General Steam Navigation Company before the Lord Mayor, who had inflicted a considerable fine upon them for a breach of the regulations. Two Companies in Ireland had been warned, and throughout the whole of England the lairs, trucks, and landing places were in a much better state, owing to the exertions of these officials, than they were a few months ago. He wished these travelling Inspectors would do something more. He should like them to come to our fairs and markets, and to see that the local authorities did their duty. If there was not something of this sort, he was afraid that no steps they had taken would be effectual towards the object they desired. The Duke of Richmond, speaking at Chichester, had said that one thing that militated against his (Mr. Read's) views with respect to Ireland, was the fact that they had so few veterinary surgeons. He found that in England there were 1,700 cattle Inspectors, of which number only 370 were veterinary surgeons. Therefore, he thought if they were to offer greater inducements in Ireland than 10*s.* a-day, and prevent instant dismissal at the hands of the head of the Department, if he deemed himself offended, the state of things would be materially improved, and veterinary surgeons attracted to Ireland. The Duke of Richmond also mentioned with satisfaction the 400 local authorities in Great Britain, with which he had to deal. He (Mr. Read) contended that this was a great source of weakness. The Committee had thought so too, and had suggested that it was desirable that there should be a fusion of these local authorities in one county Board. He was not aware, however, that any steps had been taken to carry out that important recommendation. Now, with regard to what had been said by certain hon. Members—that the farmers in what they were asking sought to revive protection—he wished to repudiate it most entirely and distinctly, for they regarded protection as dead as Queen Anne. It was the cotton spinner rather than the clodhopper, who would be finding fault with free trade. The cotton spinners complained of an import duty of 5 per cent being put on their goods by the Legislature of India; but how would the Manchester manufacturer like to have a tax of 60 per cent—as in the case of the malt duty—put on their goods when they left their warehouses for home consumption? Why, the farmers were exposed to the competition of the whole world, and they cheerfully accepted it. They had now to contend with growing wheat against the furthermost parts of the earth; but they could hold their own in the production of meat, milk, and butter, and more than hold their own, if their stock were healthy. He would say with regard to Australian meat, that he never heard a farmer complain of that, unless perhaps when asked to eat it. He regarded with satisfaction the importation of American fresh meat, because unless they could go to a cheaper market than New York, that importation could not be a commercial success, and it did dispose of the nonsense that was talked about the transport of dead meat. The last quotation with which he would trouble the House had reference to this very matter, and the views were expressed by a sound Liberal, or, as he had been called, a "thundering Radical." Mr. Howard said—

> "There are few subjects of which I can claim as much knowledge as Mr. Bright; but I am quite sure the right hon. Gentleman, who is both a political and personal friend, would be the first to acknowledge that upon agricultural and rural subjects, upon the views and the opinions of the agriculturists of England, I have a right to claim as full a knowledge, and even a more intimate acquaintance. I will, therefore, say I deeply regretted that Mr. Bright was tempted to write upon a subject of which he confessed he had but an imperfect knowledge. The other day I saw in a Manchester paper the report of a speech

expressing similar views by another friend of mine, Mr. P. Rylands, which was far more offensive than Mr. Bright's letter, because more dogmatical and denunciative. I was sorry to find such a man descanting upon a topic he really knew nothing about."

This was really no Party question. It belonged to no class, but was a subject of national interest. We were a meat eating nation, and he was perfectly sure of this—that although the loss from these diseases fell, in the first instance, on the farmer, it ultimately recoiled, with increased pressure, on the consumer. Unfortunately, however, when it hit the farmer it too frequently hit a needy man, and very often had the effect of ruining him; for in his case the stock were not so well kept as those of his richer neighbours, and consequently had less chance of withstanding the ravages of the disease; and he had less opportunity also to isolate and protect his stock. He was somewhat inclined to endorse the recommendation to the Duke of Richmond, which had been made that day, that our cattle dealers should take out a licence. He had not the slightest idea when he rose that he should be obliged to occupy so much of the time of the House, and he had to apologize for the great length to which his remarks had extended; but the matter was one of a very complicated nature, and it was also one of great importance. He might also say that he had always found that when a practical man made either a few observations or a great many to that House, they were attentively listened to, whatever the subject might be or however dull the remarks; and further, when a Member really and sincerely believed what he stated, the House was still more tolerant to him. He could also assert that he had, through evil and good report, maintained the opinions he had enunciated that day. What he wanted to see was an alteration in the uncertainty of the regulations on the subject of cattle diseases. No one could be expected to be wise or perhaps sane who talked so much about bullocks; and therefore he supposed that he was unwise, and it might be insane. But this idea applied with cumulative force to the Veterinary Department, and he had no hesitation in saying that the policy of that Department had been unscientific, unpractical, and opposed to reason and common sense. They must get rid of these half-and-half measures, and they must also do away with the idea of making any compromise with these fell diseases. They must insist on having throughout Great Britain and Ireland one treatment and one set of regulations; and as far as regarded the principle of restriction, they must try and prevent the local authorities of England and Scotland from carrying out the Orders in Council at their own whim and caprice. He trusted, therefore, that the House would back him up in this matter by adopting the Resolution he now had the honour to move.

MR. BEACH, as representing the Central Chamber of Agriculture, rose to second the Motion, but after the exhaustive speech of his hon. Friend it would not be necessary for him to detain the House at any length on the subject. He was, however, anxious to express the deep sense of the injury which had been inflicted by the prevalence of these contagious diseases. It was almost impossible to realize how serious were the losses which owners of stock had sustained. This was not really a matter which affected the farmers only. Their interests and those of the consumers were identical in this matter. If the consumers relied on the amount of meat brought from abroad as the great source of supply in England it might be futile to ask for stringent regulations at home; but it had been demonstrated that the percentage received from abroad formed a small proportion of the meat consumed in England, and a great part of that was dead meat, and therefore unaffected by any disease. The farmers, therefore, were entitled to ask the consumers to join them in asking for measures which would materially increase the amount of the home supply. The various diseases to which cattle were subject had hitherto been dealt with separately. There was little or no difference of opinion as to meeting the cattle plague; but there were different ideas with respect to pleuro-pneumonia. That, however, had made great ravages, and in Hampshire it had even attacked the swine. It was at one time thought that the disease would not attack swine, but most serious losses had been lately sustained amongst those animals. He was glad to find that pleuro-pneumonia was about to be dealt with in Ireland, and he hoped the measures taken would have a salutary effect. But there was another disease from which the farmers suffered greatly—the foot-and-mouth disease. It could not be called a fatal disease, because most of the animals recovered; but it did an infinity of harm—very much more than was generally supposed. There were cases in which the disease was not fully developed, and its existence was, if possible, concealed; and yet harm was done, because the conversion of cattle into fat stock was delayed for months. It also interfered greatly with the breeding of animals. This year, for instance, in Hampshire the lambing season had been remarkably bad, and the increase much less than the average, which was very much in consequence of the foot-and-mouth disease prevalent in that county. It was true the Committee of 1873 decided that the foot-and-mouth disease need not be dealt with in the same peremptory manner as pleuro-pneumonia; but they said it was impossible to extirpate it without stringent regulations, and they thought it unwise to enact them. That was scarcely a legitimate conclusion. Whatever regulations were adopted they ought to be uniformly enforced throughout the country, for the permissive system had proved a failure. If isolation and prohibition of movement should be adopted the local authorities must act on the same principle, and on the same lines. Inspection hitherto had not been entirely effective. A veterinary surgeon might come and inspect certain stock and find no disease in them. He most likely would be a competent man, but at some stages it was impossible to detect the disease. The stock might thus go to a fair with a certificate of freedom from disease, be purchased and taken home, and then the disease might break out. The seller would be irresponsible for the misfortune which had befallen the purchaser, who would have no remedy. The present regulations were harassing and vexatious without being effective. He hoped that uniform regulations might be drawn up, and that they would have the effect of checking the disease and increasing the meat supply of the country. He had great pleasure in seconding the Motion of his hon. Friend.

Motion made, and Question proposed,

"That, in the opinion of this House, the general orders and regulations for the stoppage of Contagious Diseases among Stock should cease to be varying or permissive, and should be uniform throughout Great Britain and Ireland."—(*Mr. Clare Read.*)

Mr. O'CONOR said, that the hon. Member for South Norfolk, in the early portion of his speech, had claimed the votes of Irish Members in favour of his Resolution. Speaking individually as an Irish Member, he could assure his hon. Friend he had no objection to his Motion; and although he appeared there in the character of the Mover of an Amendment, that Amendment was in no way hostile to the spirit or substance of the Motion. Indeed, he thoroughly agreed with the Motion of his hon. Friend, and for three reasons. Firstly, because it was in accordance with one of the Resolutions of the Committee of 1873, of which he (Mr. O'Conor) was a Member; secondly, in consequence of its having been adopted by the Irish Cattle Defence Association; and thirdly, because it appeared to him to be consistent with common sense, and was, in itself, perfectly just and reasonable. It must be admitted that restrictions of any kind on any trade were things to be deprecated unless great good sprung from them. He did not think anyone would maintain that a system of restrictions was good which was left to the caprice of local authorities in every part of the country, and which, therefore, might be put in force in one district and not in another. As far, therefore, as the Resolution of his hon. Friend went, he was quite prepared to support it. He agreed to a very great extent with the remarks made by his hon. Friend, who, whenever he spoke out openly on matters of this kind, would always secure the attention of the House. There was one point, however, on which his hon. Friend had not spoken out very clearly to-night, and respecting which he was equally reticent during the discussion which took place in the Committee, and that was as to what he would really propose to do in regard to the foot-and-mouth disease. It was to that subject his (Mr. O'Conor's) Amendment chiefly referred. A great part of his hon. Friend's speech had been devoted to pleuro-pneumonia. On that subject his hon. Friend knew his own mind and had let no opportunity pass of expressing his opinion. During the whole of the Recess he had kept up an agitation upon that question, and many of them upon both sides of the House regretted that in consequence of that agitation his hon. Friend, instead of now sitting on the Treasury Bench, occupied a seat below the Gangway; but he might congratulate him on the fact that although as a Minister he was unable to accomplish what he desired, still by taking the steps of sacrificing himself and placing himself outside the pale of the privileged individuals, he had at last the satisfaction of seeing conceded that for which he had contended. There was a Bill pending before the House upon the question of the compulsory slaughter of animals affected with pleuro-pneumonia. It would be out of Order for him to discuss the Bill now; but he hoped the Government would give early and ample opportunity for its discussion. His hon. Friend (Mr. Read) had succeeded in compelling the Government to carry out the recommendations of the Committee in regard to pleuro-pneumonia, and to-night he had gone a step further and asked the House to affirm a Resolution in favour of uniform regulation. He (Mr. O'Conor) would ask the House to go still one step further, and adopt the Resolutions of the Committee of 1873 in their entirety, as well as those referring to the foot-and-mouth disease, as those relating to pleuro-pneumonia. The Committee devoted great attention to that subject, and called a large number of witnesses from all parts of the Kingdom, and ultimately they came to this conclusion—

> "They recommend that the Privy Council should cease to issue Orders for the checking of this disease, but that Section 57 of the English Act, which makes the exposure of animals affected with contagious diseases an offence, should continue to apply to the foot-and-mouth disease."

Those were the Resolutions which in the terms of his Amendment he asked the House to affirm. The Resolutions of the Committee went on to say that—

> "The owners should be relieved from the necessity of giving notice to the police of the existence of this disease among their stock."

That latter clause was not in the original draft of the Committee's Report; it was introduced and supported by the hon. Member for South Norfolk, whose vote, therefore, he might fairly claim on this occasion. As, however, it would require an Act of Parliament to carry the latter clause into action, he was prepared to drop that, and to stand by the resolution which was carried unanimously, with only one dissentient, the hon. Member for Carlow (Mr. Kavanagh), who merely dissented because the resolution did not go far enough. The resolutions of the Committee were adopted by the Government of the time, and the right hon. Member for Bradford (Mr. Forster), who was at the time Vice President of the Council, took steps to carry them out. Orders were given for the slaughter of animals affected with pleuro-pneumonia all over England, but it was found almost impossible to extend the Orders to Ireland. The resolution in regard to foot-and-mouth disease was at once put in force, and the Privy Council ceased to issue Orders respecting it. That state of things went on from 1873 until about the middle of 1874. In the interval there had been a change of Ministry, but there had been no alteration in regard to the state of the cattle diseases. When, shortly after, the new Government came into office, however, a different policy was adopted. The recommendations of the Committee were entirely set aside, and things went back to what they were before the appointment of the Committee. A debate on the subject, which did not receive so much attention as it deserved, was raised by the hon. Member for Forfarshire (Mr. J. W. Barclay), and in the debate there was not a single allegation made to show that the carrying out of the policy recommended by the Committee had been injurious to the farmers of England. It was not pretended that the discontinuance of Orders on the subject had in any way increased the foot-and-mouth disease. Indeed, it appeared that the only reason for a change of policy was that there had been a change of Ministry. The Privy Council Orders were put in force again by the new Government, and what had been the result? Had they had the effect of checking the disease in any way? Why, last year there was as virulent an outbreak of foot-and-mouth disease as they had ever before. They had those Orders in force during the great outbreak of 1872, and again during the great outbreak of 1875, and yet they failed in any way to stop it, and therefore they must be driven to the conclusion that those Orders were, to a great extent, useless. Those who had sat on the Committee in 1873 knew very well why the Orders were of little use. It was proved before the Committee to be the opinion of the most experienced persons belonging to the Veterinary Department, that nothing short of the most extreme measures could be successful in any way in checking the foot-and-mouth disease. That disease was so easily propagated—not only by the animals themselves, but by anybody or anything which had been in contact with them—that it was utterly hopeless to expect that those slight restrictions and exceptions here and there could in any way check the disease; in fact, it was evident that if they wished to put it down they must have recourse to far more extreme measures. Was his hon. Friend prepared or not to apply to the foot-and-mouth disease the severe restrictions which were applied to pleuro-pneumonia. He could understand Gentlemen coming forward and saying—"This foot-and-mouth disease is spreading so much that we are prepared to sacrifice anything to get rid of it once for all, and we are quite prepared to go under the pleuro-pneumonia regulation." That would be a fair and legitimate position to take up; but he did complain that Gentlemen who would not go to that extent were at the same time anxious to adopt means which the most scientific authorities declared to be useless and ineffectual, but what at the same time did serious injury to the trade. A great deal had been said about the Irish import trade, and he had frequently heard speeches in that House which sounded rather hostile to the trade. It had been often asserted that but for the Irish imports England would be free from disease, and that the Privy Council Order would be sufficient to stamp out the disease in England if it were not brought in from Ireland as fast as it was got rid of. In consequence of that assertion he was anxious, when the Committee sat in 1873, to see by evidence how far it could be borne out. He was astonished at the sort of evidence adduced. Farmers came forward and said—"We purchased a number of Irish cattle in the market; we took them home, and after a short interval the foot-and-mouth disease broke out among them." They seemed to argue that because the beasts came from Ireland the disease must have come from there also; but they could not tell the Committee how long the cattle had been in England, where they had stayed, or what sort of cattle they had been in contact with. It was quite probable that the foot-and-mouth disease had been existing in the neighbourhood to which the farmers took the cattle, and it was most natural to suppose, therefore, that the cattle sent away perfectly healthy from Ireland, and brought into this country, where the disease was already existing, caught the disease here and did not bring it with them. He did not mean to say that Ireland never had sent any foot-and-mouth disease into England. That would be absurd, because if they had any outbreak in either country it was sure to find its way into the other. The constant communication going on between the two countries rendered it perfectly impossible for them to prevent such a contagious disease from spreading to both. Perhaps England suffered more than Ireland, because she imported more cattle from Ireland than she sent there; but it did not follow that because England did not often send cattle to Ireland that she never sent any disease there, especially the foot-and-mouth disease, which might be conveyed not only by cattle, but by persons who had attended on them, and in many other ways. It was perfectly idle to suppose they could by any system, however strict, prevent the carrying of this disease from one country to the other. The conclusion to which they might justly come was summed up in a paragraph proposed to be added to the Report of the Committee of 1873, as follows—

> "Very many complaints have been made to your Committee by English and Scotch farmers as to Irish imports having caused an increase of pleuro-pneumonia and foot-and-mouth disease, but the Committee are of opinion that those complaints had been much exaggerated, and that the spread of the disease has been reciprocal."

He thought that really conveyed the truth of the case, and that so far as the spread of this disease was concerned, one country had no right to reproach the other, for when the complaint existed at all it was pretty certain to find its way from one country to the other. Before leaving the subject he would like to say a word as to why the Irish took such considerable interest in this question. It was not a subject to look at entirely from an Irish point of view. It was a question affecting every consumer of meat in the Kingdom. It had this special aspect for Ireland that in that country the lands, which were formerly tilled, had been developing more and more into pasture or grazing lands. Therefore everyone, from the highest to the lowest, from the owner of the largest estate down to the smallest occupier, had to a great extent an interest in this cattle trade, and anything which tended to interfere with it must be serious injury to all classes of the community. It could not, therefore, be wondered at that if proceedings occurred which had the effect of very seriously injuring the trade and imperilling its existence all parties in Ireland should be alarmed, and, as it were, rush to the rescue. Under the Privy Council regulations cases of great hardship had occurred, the case known as "the Silloth case" being a remarkable instance in point, and so long as the regulations were in force there was no guarantee that similar cases of hardship would not again occur. The result of such proceedings must of necessity be to discourage, if not to stop altogether, the export of store cattle from Ireland. No man would be so foolish as to send a quantity of cattle to England if he knew that on their arrival they might be detained there for days or sent back. He might have done all he could to make his cattle proof against disease, he might see them marked perfectly sound, and yet afterwards when they landed in England they might be detained because some beasts in another herd in the same ship, with which he had nothing to do, were found to be diseased. If that was to be done no person would have courage enough to run the risk of sending his cattle to England under such circumstances, and they could not be surprised, therefore, at the commotion which had been caused by the Silloth case. He had no desire, however, to base the Irish case against restriction upon what happened at Silloth. Though he agreed with the hon. Member (Mr. Read) as to the uselessness of inspection, the Irish traders were most willing to submit to it. For the satisfaction of the English people they were quite willing to have a most rigid inspection at the ports; but they did complain that there should be that system of double inspection, not only at the ports where they were put on board ship, but also after they had crossed the water. The English and Scotch traders could remove their cattle for any distance without any such double inspection, and, therefore, the arrangement was very unfair to Ireland. With respect to the question of inspection, they ought to take the opinion of those who had had great experience on the subject. Well, Professor Williams was of opinion that a smaller amount of inspection at the port of embarkation would do more good than a larger amount at the point of debarkation. Even the Chief Secretary of Ireland himself in 1874 had admitted that the proper place for inspection was at the port of embarkation. He contended that this was a vital question to the people of Ireland, because the poor farmers would be greatly oppressed by any serious stoppage of the trade. He did not wish to press the question from a local, but from an Imperial point of view. The whole country was interested in the supply of meat, and was also consequently interested in putting an end to restrictions which did no good, but limited the supply. That this was not a purely Irish matter was proved by the fact that his Amendment would be seconded by a Scotch Member, and also by the circumstance that all he asked the House to do was to confirm the decision of the Committee which sat in 1873, and on which all classes of the people of England, Scotland, and Ireland, were fairly represented. The hon. Member concluded by moving, as an Amendment, to add—

> "And that it is further desirable that the recommendations of the Select Committee of 1873, in relation to foot-and-mouth disease, should be carried into effect."

MR. J. W. BARCLAY said, he quite agreed with the hon. Member (Mr. Read) that this was a difficult and intricate subject, and this the hon. Member had illustrated by his speech, for he had confined his remarks principally to points on which there was little difference of opinion, and to which he presumed Government would accede, but had failed to express any opinion on the much disputed question as to the best mode of dealing with foot-and-mouth disease. Before offering his opinion, he desired to congratulate the hon. Member on the success which had at last attended his efforts to have the mode of dealing with pleuro-pneumonia in Ireland assimilated to what had been carried out in Great Britain for the last two years. He regretted the Government required the pressure of his retirement before bringing in the Bill now before the House for the compulsory slaughter of animals affected with pleuro-pneumonia in Ireland. If, as the hon. Member stated, the farmers in England were delighted that the Duke of Richmond, as a practical agriculturist, had been appointed to the control of the Veterinary Department, he was afraid experience had not justified their expectations either in regard to the Veterinary Department or to dealing with the question of agricultural improvements. What the country had to complain of was, that the experience of the former Government and the recommendation of the Cattle Disease Committee, founded on the experience of the previous seven years, had been lost, and that the new authority had to learn everything over again at the expense of the country and much to the annoyance and loss of farmers. He hoped they had now again reached the point at which they had arrived when the late Government left office. What had been the policy pursued in regard to cattle disease? After the cattle plague had been successfully dealt with under the provisions made by Parliament, it was presumed that foot-and-mouth disease might be successfully dealt with in a similar manner. But the experience of many witnesses examined by the Committee showed very clearly that the contagion of foot-and-mouth disease was of so subtle and insidious a nature that any regulations which could be enforced were wholly inadequate to prevent the spread of the disease. The facts before and since confirmed this conclusion. In a good many counties the regulations and restrictions had been vigorously enforced in 1872, and yet the disease spread all over the country. The restrictions were removed in 1873, and the disease decreased so that the local authorities in 1874 reported that foot-and-mouth disease then existed to only a small extent. In 1874 the Duke of Richmond gave power to local authorities to impose restrictions, and again in 1875 these powers were extended. Nevertheless, foot-and-mouth disease had during last year spread more widely, he believed, than ever before. He did not say that restrictions caused the disease, but the facts showed that they were powerless to prevent it. In these circumstances they could not avoid the conclusion arrived at by the Committee, that any restrictions which would be submitted to would fail to check the disease. It was easy to impose restrictions; but, in point of fact, existing restrictions were in many counties a dead letter, whilst in others much annoyance had been caused without beneficial results to farmers who, in the multiplicity of rules imposed, withdrawn, and re-imposed, were at a loss to know what they might or might not do. Very few persons indeed, he believed, could at present say in some counties what was the law without careful reference and collation of the various Orders issued. The Order to inform the police of the existence of foot-and mouth disease was of no value, because nothing followed on the information except that the police informed the local authority, who were not called upon even to publish the information. Restrictions had failed, and what was now to be done? For himself, he, after a good many years' experience and observation, had come to the conclusion that the quicker the disease overran the country the more likely was the disease to become milder in type, fewer animals to be affected, and the disease soonest to expend itself. ["Oh, oh!"] That was the experience in epidemics, and he had no hesitation in saying that if a farmer got foot-and-mouth disease in his stock, and could not effectually isolate the animals affected, his most judicious policy was to have the disease overrun his whole herd as quickly as possible. He knew several cases in which this policy had been successfully adopted, and he recommended the practice of some who had had the longest experience of the disease, among others of one who had experience of this disease frequently since its first introduction into this country in 1834. If the disease lingered in a county for six months, a farmer who could exercise vigilance and care for two or three months might be unable to continue his self-imposed restriction for six months, and the risk of contagion was rather in proportion to the length of time over which the disease lasted in a district than to the number of infected farms. He thought it should remain a punishable offence to expose in a market or public place, or drive along a highway, animals labouring under disease, but beyond that he did not see it was of use to impose restrictions, which were the source of much annoyance, and had failed to give any corresponding advantage. It appeared to him that this administration of the Cattle Diseases Acts in England offered a strong argument in favour of the Motion to have elective Boards for county administration. At present the Acts were administered by the magistrates, few of whom were practically acquainted with the subject, and did not know what could or could not be carried into effect. The farmers who were practically acqainted with the subject, if charged with the administration of the Act, would, after some experience, see what it was possible to do by legislation, and instead of embarrassing the Central Government with representations for legislation which could not be practically enforced, would find that they must rely more on their own care, vigilance, and prudence, which he believed would be found more effectual in dealing with this disease than anything legislation could do. Many, no doubt, suffered by the recklessness of others, and it was extremely desirable such persons should be punished; but experience showed that legislation had proved unequal to do so without punishing innocent persons quite as frequently as the really guilty. He seconded the Amendment.

Amendment proposed,

To add, at the end of the Question, the words "and that it is further desirable that the recommendations of the Select Committee of 1873, in relation to foot and mouth disease, should be carried into effect."—(*Mr. O'Conor.*)

Question proposed, "That those words be there added."

MR. W. E. FORSTER said, he did not pretend to the bucolic experience of the hon. Member who had spoken on this Motion, but having had some official experience in dealing with the question he should be glad of an opportunity to say a few words respecting it. He regretted that any Government should lose the services of the hon. Gentleman (Mr. Read); but it was well that the tenant farmers could now rely upon his speaking for them upon a question in which they were so much interested. He felt surprised that the hon. Member should have complained that the late Government had issued certain orders in a hurry relating to the spread of cattle disease, when he (Mr. Forster) had only acted in accordance with the Resolutions of the Committee of which the hon. Gentleman himself was a Member. In carrying out all the recommendations of the Committee he could do without legislation, he certainly lost notime that could be avoided. These questions of cattle diseases were very difficult and complicated. On the one hand, the object was to check the spread of disease; on the other hand, you had to avoid unnecessary interference with the food of the country. Altogether, it was one of the most difficult jobs with which any Government had to deal. As to the complaints against the permanent officials of the Veterinary Department of the Privy Council, these, in his opinion, were very much, if not entirely, without foundation. The work of the officials was difficult, and he did not believe that men would be found who, upon the whole, would do it better. There were four diseases with which we had to cope—cattle plague, sheep-pox, pleuro-pneumonia, and foot-and-mouth disease. Even the hon. Member for South Norfolk did not suggest much change in Government action respecting the first two diseases. Partly owing to Government action, indeed, there was no sheep-pox or cattle plague in the country, and had not been for some time. Practically, we had to deal with pleuro-pneumonia and foot-and-mouth disease; and he had come to the conclusion that, wherever these two diseases originally came from, they were now English diseases, and completely naturalized here. This being so, we had to consider what could be done to check or extirpate them. He thought that by means of severe, stringent, continuous efforts we might get rid of pleuro-pneumonia. This was so fatal a disease that public opinion would support the Government in taking strong action with a view to stamp it out. He entirely agreed, therefore, with the Motion of the hon. Gentleman as far as pleuro-pneumonia was concerned. Moreover, he was of opinion that we ought to have constant and uniform action throughout the country; that it ought to be uniform both in England and Ireland; and that considering the frequent communication between the two countries, it was almost absurd to have regulations in one country which did not exist in the other. This uniformity of treatment was as necessary in the interests of the Irish stock feeder as of the English farmer. There was really nothing like competition between the two. On the contrary, his hon. Friend (Mr. Read) and many others imported Irish store cattle for the purpose of feeding and fattening them, and would suffer if the supply were checked. The Committee which sat upon this subject made three proposals with regard to pleuro-pneumonia. The first was that slaughter should be compulsory. He issued an order to that effect as soon as he could, and he supposed that slaughter was compulsory now. The next proposal of the Committee was that compensation should be made on a principle different from that laid down in the Cattle Plague Act—namely, on the actual loss to the farmer, instead of on the value of the animal at the time of its slaughter, as from calculation the latter principle had been found to give an insufficient compensation. Why he did not issue an order to that effect was because as he read the Act, it did not give him power to do so. His noble Friend (Viscount Sandon) and the Duke of Richmond had, however, read the Act in a different way, but he did not doubt that the order in itself was a prudent one. Another recommendation was with regard to pleuro-pneumonia—namely, that the isolation should be for two months instead of 30 days. He could not issue an order to carry that out, because to do so would require an alteration of the Act. He hoped his noble Friend would be able to explain why an Act had not been passed for that purpose. With regard to foot-and-mouth disease, there were certain regulations in the Act of 1869 which provided that animals affected should not be exposed in market or taken along the highway; but there was also power given to the Privy Council to issue special regulations for the stoppage and prevention of any infectious disease mentioned in the Act. There was a foot-and-mouth outbreak not long after he became Vice President, and, there being a good many complaints, they first issued rather peremptory general orders throughout the country, but there were great objections to them, and the Department was obliged to discontinue them. Permissive orders were then issued, and these were in force more or less until the Committee sat in 1873. Almost every Member of that Committee was of opinion that there was no middle course between, no restriction, except that of not allowing diseased animals to be exposed in the market or to be taken along the highway—and very stringent restrictions indeed. It was perfectly clear, however, that the farming interest generally would not bear those severe restrictions. The time of isolation to be effectual would be quite six weeks, and it appeared much more likely to be three months, and there would be such an outcry against that as would render it impossible. The Committee, therefore, recommended that there should be none of those stringent restrictions in future; and he must ask his noble Friend to explain why the Government had not only not acted upon that recommendation, but had undone it, and undone it in the worst possible way—namely, by renewing the permissive orders. As to placing England and Ireland in the same position with regard to this question, he would not say anything about that, because the Government had a Bill before the House for dealing with the subject. In justification to the late Government and to himself, he must, however, state that, if they had not become private Members in 1874, they would certainly have brought in a Bill themselves. He was very much surprised that when a Bill relating to cattle diseases in Ireland had been passed in 1874 the clause which was necessary to give this power was not included. However, it was a difficult question, and probably the Government wanted to feel their way and obtain information, and having now obtained it they brought in a Bill. During this debate no allusion had been made to the question which had been raised by the metropolitan consumers, several of whom had waited upon the Duke of Richmond, and also by representatives of artizans, who protested against the regulation which required that when only one animal in a cargo was affected with foot-and-mouth disease the whole should be sent to Deptford. His noble Friend would have to decide between two modes of dealing with Deptford. They would either have to remove the restrictions with regard to foot-and-mouth disease, and not to cause any cargo to be sent to Deptford because of the illness of one or two animals, or they would have to require that all the foreign animals imported to London should go there. He was not prepared himself to take this last step, though he had come to the conclusion that there was no middle course between the two. If the hon. Member for South Norfolk went to a division he should vote with him, and if the hon. Member for Sligo (Mr. O'Conor) went to a division he would vote with him. The one carried out one recommendation of the Committee, and the other another recommendation. But, perhaps, the Government would make a division unnecessary by adopting the Resolution. He could not sit down without expressing the great pleasure he felt at what had been done in the Department since he left it, by adopting a more efficient inspection of the transit of animals by railway, and also of their import by sea. Both with a view to the health of the animals and the prevention of cruelty to them, inspection was quite necessary; and he was glad his noble Friend had been enabled to carry out a more efficient system than he had been enabled to enforce while he was in the Department.

MR. KAVANAGH said, with regard to the proposal to make the regulations uniform throughout Great Britain and Ireland, that it was necessary to inquire what those regulations were. In England there were regulations as to foot-and-mouth disease, which he should be sorry to see extended to Ireland, and therefore, before making them uniform for the whole Kingdom, it would be necessary to make them reasonable. That being his opinion, he could not accept the Motion of the hon. Member for South Norfolk (Mr. Read), unless it were coupled with the Amendment of the hon. Member for Sligo (Mr. O'Conor) —namely,

> "That the recommendations of the Select Committee of 1873, in relation to foot-and-mouth disease, should be carried into effect."

In his opinion, it was perfectly useless to attempt to put an end to foot-and-mouth disease by restrictions. The more fully he had inquired into the subject the more he was convinced that the attempt would be hopeless; but even if there were any hope, he believed those restrictions would be so intolerable that the cure would be, in fact, worse than the disease. It was for that reason that he dissented from the recommendation of the Committee of 1873. He would rather the foot-and-mouth disease were struck out of the Act altogether, but he might, perhaps, be unreasonable in wishing to go so far. With regard to pleuro-pneumonia, he believed it was quite possible to stamp it out; and he had endeavoured to impress upon the Chief Secretary for Ireland the importance of extending compulsory slaughter to Ireland, and he was glad the right hon. Baronet had seen his way to bring in a Bill on the subject. There was only another thing to be done, and that was, to make the regulations as regarded foot-and-mouth disease uniform between the two countries—not by imposing on Ireland the restrictions which existed in England, but by applying the rules which existed in Ireland to England. He was not quite certain what rules did exist in Ireland; but he knew that in England the local authorities dealt with the question in very different ways, some being too strict and others too lax; and as long as a system of that kind was continued it was utterly hopeless to expect it to produce any great advantage. In Ireland whatever restrictions existed were uniform, and so far England might take a leaf out of her book.

COLONEL KINGSCOTE said, that foot-and-mouth disease was most insidious and dangerous, and had a most injurious effect in enhancing the prices of meat, butter, cheese, and milk. Last Autumn, for example, on one farm of 100 acres foot-and-mouth disease broke out in a flock of 320 ewes, the result being that instead of having 400 lambs, which would be the produce of an ordinary year, if there were 200 lambs left alive it would be the utmost that could be calculated upon. In the month of October, on the same farm, out of 36 dairy cows, 32 were down with foot-and-mouth disease, and their milk had to be thrown away. Again, on the same farm, he himself had seen 24 bullocks who, owing to the foot-and-mouth disease, deteriorated at least £3 a-head in the course of two months. Many instances of the same kind could be adduced showing the great loss to the farmers and to the community at large by the ravages of this disease, and he therefore urged the Government to adopt stringent measures, and to make them universal in order to check the spread of the disease. He advocated the appointment of efficient Inspectors, and not the police, and expressed his opinion that the country would support the Government in spending more money to provide a competent staff of officers.

Mr. NEWDEGATE: Sir, I feel deeply indebted to the hon. Member for South Norfolk for the trouble he has taken in bringing before the country the importance of dealing with these diseases; and I beg also to express my thorough concurrence in what has been said by the hon. and gallant Member for West Gloucestershire (Colonel Kingscote) with regard to the foot-and-mouth disease. My own experience in the course of the last year has been rather severe with regard to that complaint. It has been spoken of as not fatal, and it is not fatal to the same extent as pleuro-pneumonia; still, the loss it inflicts by actual death is considerable. In cases with which I am acquainted it has amounted to as much as 5 and 6 per cent. But there is another circumstance connected with this disease which ought to be carefully considered. In many instances, after the disease has subsided, it leaves secondary symptoms of another disease—congestion of the lungs—and of a type which is perfectly well known to become hereditary. Another fact is known, and this is, that a disease of the lungs has been spreading among the highest and purest bred short-horned stock in this country. I am very much inclined to connect these two facts one with the other, for within my personal knowledge animals which have been severely affected by foot-and-mouth disease, but did not actually die of it, were left suffering from lung disease. I am inclined, therefore, to connect that fact with the spread of lung disease amongst the highest bred stock in this country. These facts are sufficient, I think, to show the House that when we are dealing by legislation or Governmental Orders with the other diseases, it would be extremely rash to neglect the foot-and-mouth disease altogether. I cannot, however, put into more eloquent or appropriate language the expression of the loss entailed on the consumer by this disease in the course which it ran during the last year, than has been uttered by the hon. and gallant Member for West Gloucestershire, by raising the price of meat. I am certain that his statement with respect to his own county, and the losses inflicted by it, could be fully borne out by reference to the losses it has inflicted in the midland counties; and I concur with the hon. and gallant Member when he says that it is simply ridiculous to have so great a variety of administration as exists in this matter. The hon. Member for South Leicestershire (Mr. Pell) sits below me. My county of Warwickshire is separated from Leicestershire only by the Watling Street old Roman road. We adopted certain preventive restrictions in Warwickshire; but the same restrictions were not enforced in Leicestershire, and without mentioning names I may state the effect of a conversation which last summer occurred between a Leicestershire farmer and a Warwickshire farmer. The latter asked—"When you get the foot-and-mouth disease, what do you do?" "Oh," said the Leicestershire farmer—"I am a grazier. I keep my sick stock at home, and send the sound stock at once to market." Now, of course, if there is any possibility of restricting this disease by preventing diseased cattle from being sent to market, the system adopted by this Leicestershire farmer must be calculated to spread the disease, which we in Warwickshire subjected ourselves to severe restrictions to prevent. Let me now notice for one moment what has been said by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) with reference to the London market. The right hon. Gentleman says that the importations of foreign cattle, though small, affect materially the price of food consumed by the operative classes in London. But, I would ask, can the price of food in London be independent of the price of food throughout the country? And if the importations of diseased cattle from abroad have the effect, as they undoubtedly have, of enhancing the price of food throughout the country, surely it is but a narrow view to believe that such importations will not similarly affect the London market? I have for years held that the importation of foreign cattle for London ought to be limited to Deptford, or some one port on the Thames, where the most efficient system of provision for cattle and for the inspection might be carried out; because, unless you do this, and your restrictions are consistently enforced, they become absolutely absurd. Let the House suppose that the disease is discovered in one or more animals of a cargo when they reach London; the authorities have then to send them back to Deptford, after the disease has been discovered, and probably disseminated, in this great centre, from which it is almost certain to be spread throughout the country. I believe that no restriction could be more wholesome or effectual than limiting the ports of debarkation, and providing for the proper care of cattle, and for their adequate inspection at the ports of debarkation. The hon. Member for the county of Sligo (Mr. O'Conor) must forgive me when I call his attention to this fact. He complains of the inspection of Irish cattle on their debarkation upon our shores in England; but does not the hon. Member perceive this—does he not perceive that, in their transit in a vessel by sea, there is much greater danger of contagion than under any other circumstances to which the animals could be exposed? Is it not reasonable, then, that after the stock have been brought across the Channel in a vessel, they should be inspected on landing in England from Ireland, for the same reasons and in the same manner as if they had been imported from some foreign country? I hold that it is the character of the transit, and the peculiar exposure to contagion it entails, which justifies the restriction; and I am obliged to tell the hon. Member plainly that though we in the midland counties have not the slightest wish to prevent the importation of Irish cattle—for the importation is very important to us—we are perfectly sensible that, probably owing to their exposure to contagion in transit by vessels, we do receive more disease through the ports of debarkation from Ireland than from any other parts of the country. I trust, then, that the House will not retreat before the difficulty which the foot-and-mouth disease presents by casting aside the precautions which prudence dictates, because there is this fact to be borne in mind. Whilst it is quite right to have uniform protection against so fatal a disease as pleuro-pneumonia, yet pleuro-pneumonia is a disease which is diminishing in the United Kingdom; whilst, on the other hand, the foot-and-mouth disease is extending year by year. There have been few years during which the foot-and-mouth disease was more prevalent than the last; and I observe that several hon. Members who have spoken on the subject in this debate take all their *data* from the Reports of Committees which sat in previous years, and that none of them appear to have rested their opinion upon the experience of last year with regard to the foot-and-mouth disease until the hon. and gallant Member for West Gloucestershire rose in his place, and adduced facts which ought to convince the House that this foot-and-mouth disease is a growing and wide-spreading evil that ought to be grappled with. I concur thoroughly in the Resolution which has been proposed by the hon. Member for South Norfolk; but I regret that I cannot concur in the Amendment which has been moved by the hon. Member for Sligo, for I am convinced of this—that any Government which is rash enough to cast aside the means of preventing the spread of foot-and-mouth disease would incur a very heavy responsibility. I own that it is a difficult question; that it is difficult to convince the public that, by imposing restrictions against the spread of disease, you are providing for the cheapness of food; that it is difficult to deal with importers, who do not suffer from the effects of disease among the store cattle which they bring here, as those must who find this disease spreading throughout their herds and extending to their fat stock; and that it is difficult to persuade the mere grazier who buys and sells stock, keeping them only during the summer months, and has none to care for during the winter, that the heavy losses entailed on the breeders of cattle, whose entire stock is exposed to the ravages of disease throughout the whole year, render restrictions necessary. I know that all this is very difficult. At the same time, I believe that such discussions as we have had to-night are needed to enlighten the country upon this subject, and I hope may induce this House to arm Her Majesty's Government with power to deal adequately with diseases which are rapidly becoming a national evil.

Mr. COLMAN said, that the city which he had the honour to represent (Norwich) was very intimately connected with this question. It was one of the largest stock markets in the Kingdom, situated in the centre of an agricultural district, and he believed that the city authorities had cordially co-operated with the county authorities in carrying into effect the provisions of the Act. He had received several communications from friends of his own in Norfolk who were interested in agriculture, and some of whom were politically opposed to the hon. Member for South Norfolk, desiring him to support the Motion of his hon. Friend. When he entered the House that night he imagined that the Motion would meet with great opposition from many of the Members sitting on his own side of the House, because out-of-doors it had unfortunately been supposed that the interest of the producers of meat and of the consumers were not identical. But he had found that the opponents of the Motion were conspicuous by their absence, and under these circumstances he hoped that the Motion would be passed without the opposition which, in the first instance, he had anticipated. No one could have seen the critical position in which the agricultural interest had been placed without sympathizing with those who represented it. He was disposed to think at one time that they had the remedy in their own hands, and that if they kept clear of the sources from which the disease was likely to be produced they would keep their farms and cattle free. But experience showed that they were powerless unless strong and uniform restrictions were enforced. For that reason, he desired to support the Motion of his hon. Friend, for he knew that under the present mode of carrying into effect the provisions of the law, they might have in the county of Norfolk one set of recommendations carried out, and in the county of Suffolk regulations of an entirely different character. He believed that there was a great and general desire that the Government should adopt a uniform system in reference to the cattle disease. He did not think it necessary to go through the arguments which had been adduced in the course of the debate, because he believed they had been all on one side, and that there had been very little attempt to argue on the part of those who objected to the Motion. He preferred to name one or two cases which had been brought under his knowledge. He held in his hand a letter received last night from a gentleman stating that he had farmed about 550 acres; that in 1872 the foot-and-mouth disease was very prevalent, and that in consequence he had 300 sheep and 100 head of cattle down with it. He lost all the summer grazing, and afterwards the lung disease broke out. The result was that he sustained a money loss of £500 in the year 1872. The writer went on further to say that during the past year the disease had broken out again, and that he had lost 15 beasts, which were valued by the local committee at £215 10*s*. He had received a letter from another agriculturist in his own neighbourhood, who stated that there was a large market for store cattle in his locality, and that it was a common occurrence for one or two animals to be left while the rest were taken to the market, by which means the disease had been perpetuated just in the manner referred to by the hon. Member for South Norfolk. In many instances cattle were brought into districts where no disease existed, and spread the disease to healthy herds, which then took a much longer time to graze, and the meaning of that was, that they consumed provender which might have been devoted to the production of good food, but which, under the circumstances, was literally wasted in being supplied to these diseased cattle, and not only entailed loss upon the agriculturists but upon the community generally. He sincerely hoped that the Motion would be adopted by the House. It was not a question which affected the producer of meat only, but it applied also to the consumer. In the annual Report issued by *The Economist* there was a striking reference to the increase in the price of butchers' meat. In five years subsequent to 1850 the price of meat rose 8 per cent. but during the last five years, as compared with 1850, it had risen 45 per cent. But how was it with regard to the price of corn? In the first five years after 1850 the price fell 13 per cent, and taking the average of the last five years, it was still 5 per cent below what it was in the year 1850. Hon. Members who thought that further restrictions were not necessary in the present position of the cattle trade, and the price of meat, had only to contrast these two results. In the one case corn was at a low price, while in the other butchers' meat, with these unsatisfactory restrictions, had risen nearly 50 per cent. Under these circumstances, he gave his cordial support to the Motion of his hon. Friend.

SIR JOHN SCOURFIELD supported the Motion, and in doing so wished to call attention to a local grievance. A cargo of pigs arrived at Haverfordwest from Ireland, with a clean bill of health, but they were obliged, at the expense of the country, to keep them in quarantine, to the ill-will of everybody concerned. The Irish did not like their animals to be stopped; the local authorities, the railway people, the farmers, and everybody wished them to go, but they had, notwithstanding, to be kept for a certain time. The difficulties by which the subject was surrounded were very great; because the public, while they looked for that plentiful supply of meat which resulted from the free importation of cattle, objected to those restrictions by which immunity from the spread of disease was secured. The Department of the Government concerned in this matter ought to issue more clear, distinct, and definite instructions than had yet been received by the local authorities. When they applied to the Department, they always received most polite replies, but no instructions for their guidance.

MR. MARK STEWART said, that there were great difficulties in the way of the Government in dealing with the question; and the present debate had not done much to obviate those difficulties. No two speeches had agreed as regarded the remedial measures to be adopted; and science was baffled completely as to how the disease was transmitted. He would mention three cases which had come under his own observation to show the difficulty of tracing foot-and-mouth disease in its origin. In one case the cows were kept in the byre through the winter and were never out of the house, but in April the foot-and-mouth disease appeared amongst them. There was very little in the whole county, and none within 10 miles. In the second case, two flocks of sheep were separated by a narrow pathway six feet wide, and on either side a wall of net. Except that the shepherds were different persons there was no further difference in their treatment in any respect, and yet every sheep in one flock took the disease, and not a single sheep in the other flock had it. In the third instance the disease was carried from one side of the River Dee to the other, not by hares or rabbits but by crows. With respect to the expense of carrying out inspection that would depend upon how it was done. In the Stewartry of Kirkcudbright there were four veterinary surgeons appointed in 1869 and 1870, at a cost to the country of £338, and during the period the disease, instead of diminishing, rather increased. In 1870, 1871, and 1872 the same means were employed, at a cost of £593, but after that it was not deemed necessary to employ veterinary surgeons, and from 1872 to the present time the only inspecting force which had been used was the police force, at a cost to the county of about £20. The law, however, was in a most unsatisfactory state. In Wigtownshire there was a regulation which might be beneficially extended to other counties. It was to the effect that animals infected with the foot-and-mouth disease should not be removed from a farm, or taken on or across any public road which passed through the same. He was Chairman of a local Board, and they were most anxious to keep their district uncontaminated and isolated from other parts of the county, and they were so successful that up to the middle of September last they had not a single case amongst the 10,000 dairy cows that were there. But 800 lambs were brought from Argyllshire by sea, landed at Stranraer, and distributed amongst several farms. From that moment the disease was rife; but there was no mode of obtaining redress. The Act of 1869 gave them no power to prosecute. The 123rd section provided that—

> "In the event of any person refusing or delaying to comply with the order of a local authority, the local authority may give information thereof, to the Procurator Fiscal of the county or burgh, who may apply to the sheriff for a warrant to carry such order into effect, and such warrant may be executed by the officers of court in the usual way."

Thus the power of the local authority was limited by this clause, and the matter left to the discretion of the Procurator Fiscal. When under the Summary Procedure Act of 1864 they sought redress from the farmer resident in Dumfriesshire who sent the lambs, the Procurator Fiscal there refused to prosecute, and applications to the Duke of Argyll as Lord Lieutenant led to no result whatever. There was now an Inspector at Stranraer, whose duty it was to inspect the cattle imported there from Ireland. One night the steamer came in, and among the cattle on board was an animal in the last stage of foot-and-mouth disease. Nobody claimed it, and the animal was stopped from being removed, but the rest of the cargo were sent on by railway, and nobody could tell the extent to which the disease might be spread by their means. What was wanted, therefore, was a remedial clause enabling the local authority to prosecute under the Act of 1869 in such cases. [The hon. Member read a draft clause which he thought would meet the case.] Nobody but those who had had experience of the subject knew the value of prompt action in the case of an outbreak of disease. There could be no doubt that animals killed immediately on the outbreak of disease were, as far as food was concerned, as good as perfectly healthy stock. He called upon the Government to accept the hon. Member's (Mr. Read's) Motion, and make the law as far as possible uniform.

Mr. TURNOR suggested that Article 36 of the Order of Council of June, 1875, should be made compulsory throughout the Kingdom. If this were done, the district affected could be closed up in the case of the foot-and-mouth disease. The advantage of proceeding under this Order was, that it dealt not only with infected animals, but with animals in contact with them. There should also be Inspectors to go through the fairs and markets, and these Inspectors should be responsible to the Privy Council, and their salaries paid, in whole or in part, out of Imperial funds. If these two precautions were adopted, we should go far to stamp out the foot-and-mouth disease in this country. Any regulations which should be adopted ought to be, not permissive, but uniform and compulsory, and his hon. Friend had his entire concurrence in his Motion.

Captain NOLAN remarked that the question involved was a very serious one, because it was no exaggeration to say that if the cattle trade of Ireland was seriously interfered with the whole population would be more or less ruined. The cattle traders of Ireland had no objection to submit to the same regulations as England; but there was an idea abroad that there was an ulterior object in view. In the county he had the honour to represent in the West of Ireland two or three fairs were held, and he had an opportunity of gathering the views of the dealers. Their idea was that if English farmers simply wanted to stamp out disease they were willing to submit to any amount of inspection, although, of course, they did not like it; but they were dreadfully afraid the restrictions would be made use of to their disadvantage, and that the English farmers wanted to start a trade union system against the Irish farmers. He might be accepted as a fair witness on the subject, for he had done his best to ascertain the feelings of as many of the people as he had come in contact with. He did not say that the English farmers were doing anything they had not a right to do, and possibly the Irish farmers would do the same under similar circumstances. Of course, if the English farmers could keep back one-half or one-third of the supply, they would naturally produce increased prices of meat to their own advantage. He did not mean to say the Irish particularly cared about what the price of meat was in England so long as they themselves were fairly dealt with. It would be for the consumers ultimately to decide between them, and say whether there was not a wish on the part of the English farmers to keep the Irish competition out. The hon. Member for South Norfolk (Mr. Read) had certainly let slip some remarks which rather savoured of that disposition. If they were going to hamper Ireland with special restrictions the result must be to place her traders at a disadvantage. Of course, it was perfectly right to inspect the Irish cattle before they were sent to England, and there would be no objection to representatives of the English farmers attending to see that the animals were sound on embarkation, for he could assure the House there was no wish on the part of the Irish to send diseased cattle to England. But the system of instituting a second inspection after the cattle had arrived in England was objectionable. It would be like subjecting English cattle to a second inspection when they were removed from one part of England to another. In regard to pleuro-pneumonia they in Ireland were willing to submit to any regulations which were in force in England; but foot-and-mouth disease was a different thing, for which the restrictions could not be so easily justified. It was an insidious disease, and they had failed to stop it even in England notwithstanding their regulations. He thought it would be sufficient if they rested on the Act of 1869, which was a very good Act; but if they had certain rules in England and Scotland and they insisted upon applying those rules in Ireland—*plus*, others, and very stringent ones—he thought Ireland might fairly object. If the English farmers formed a kind of trades union against us, the Irish farmers must entirely go in for the removal of all restrictions. He did not wish to take up that position; but if the English farmers insisted upon pursuing their present course they might be driven to it.

MR. WILBRAHAM EGERTON, in answer to the Question which had been asked, why the Government had rescinded the Orders of 1873, said that a deputation from the Royal Agricultural Society which had waited on the Lord President had urged that step to be taken, and that he had himself forwarded a memorial from the Cheshire Chamber of Agriculture to the same effect. Those Orders had not had a fair trial, because they were not made compulsory. All the agriculturists examined before the Select Committee were in favour of stringent restrictions in reference to foot-and-mouth disease. Several of the local Scotch authorities were not in favour of abolishing all these regulations, though that course had been advocated by the hon. Member for Forfarshire (Mr. J. W. Barclay). The Orders in Council were of no use unless they were carried out uniformly throughout the whole country. Farmers were very much alarmed at the outbreak of foot-and-mouth disease last year. Never had there been so concentrated a form of the disease as then appeared. But there had been no Report yet from the Veterinary Department respecting that outbreak. He hoped his noble Friend (Viscount Sandon) would take care that the Report would be placed on the Table so as to enable them to discuss the subject before the end of the Session. At present they did not know to what extent foot-and-mouth disease had prevailed during the last 12 months. To be really useful the Report from the Veterinary Department should be laid on the Table before Easter. He would oppose the Amendment of the hon. Member for Sligo (Mr. O'Conor), but would cordially support the Motion of the hon. Member for South Norfolk (Mr. Read).

SIR WALTER BARTTELOT expressed his surprise at the observations of the hon. and gallant Member for Galway (Captain Nolan). The great object of Members on both sides was to keep Ireland free from disease, because this country could not possibly do without the importation of Irish cattle. Nothing, therefore, could be more fallacious than to say that the farmers and inhabitants of the United Kingdom were not anxious that Irish cattle should be imported as fully and as freely as possible. Their great object was to allow free importation from any part of the world, provided the cattle imported were free from disease. The House was evidently agreed on the point that, so far as the cattle plague, the sheep pox, and pleuro-pneumonia were concerned, England, Ireland, and Scotland ought to be placed absolutely under the same regulations. The only divergence of opinion had been in reference to the foot-and-mouth disease, which was a disease more difficult to deal with than any other, for the recurrence of the foot-and-mouth disease in the same animal made it predisposed to it, and every additional attack was more severe than the one preceding it; or a kind of lung disease ensued, which was as fatal as pleuro-pneumonia. The consequences were very serious in the effect produced upon animals for breeding purposes, both cattle and sheep. The price of meat was undoubtedly high, and he should be glad to see it reduced; but he did not think it would be reduced by the Government allowing so free an importation of cattle as would admit also of the importation of disease. Too stringent regulations might harass trade and do mischief; but when the hon. Member for Forfarshire (Mr. J. W. Barclay) said he thought they should allow the disease to go rampant in the belief that by its spread it would get small by degrees and beautifully less, and in time altogether disappear, it appeared to him that there could not be a greater fallacy. One of the most fatal places for the spread of foot-and-mouth disease was Islington Market, where cattle came from all parts of the counties as well as from foreign countries. Although the number of store cattle might not be very great, still many were sent to that market, and a large number of calves, and all these cattle went to the same place for water, whether infected or not; and then they were sent from Islington to all parts of the country. It was remarkable that since that practice had been allowed foot-and-mouth disease had increased. It would be altogether imprudent to permit a disease of this kind to spread unchecked all over England; and he ventured to affirm that if foreign cattle were sent to Deptford, and not to Islington, the foreign cattle would materially increase, and there would not be this perpetual demand for fresh regulations. The debate which his hon. Friend (Mr. Read) had initiated would greatly assist the Government, because the noble Lord the Vice President of the Council would have the advantage of hearing the views of hon. Members upon the question. It was necessary to stop the foot-and-mouth disease at the fountain head. An Inspector from the Privy Council had visited the Chichester Market, and, after two successive days' careful inspection, said that he had never in his life seen a lot of cattle so free from disease. But what happened? Two days afterwards, there was an outbreak of foot-and-mouth disease amongst those very cattle that had been sold at the market. That showed the necessity of inspection at the places where the cattle came from. The Government ought to insist upon those places being properly inspected and proper lairs for the cattle before they were embarked. Speaking of Ireland, what could be so disgraceful as the North Wall at Dublin: the holds of ships, and railway trucks, in which the cattle were conveyed should have better accommodation than was now provided. These and other measures within their power he hoped the Government would adopt; and depend upon it, if strict regulations were uniformly applied just where they were required, this disease among cattle might be prevented from spreading over the country.

Mr. PELL said, that while many hon. Members had advocated severer measures for the prevention of foot-and-mouth disease, no one had stated what those measures ought to be. In his opinion, there was no middle course to take. If they stopped short of killing he did not think that any restrictions in the way of quarantine, or sending Inspectors here and there to examine farmers' stock, would be of any avail whatever in checking the foot-and-mouth disease, and compulsory slaughter for this complaint was out of the question. He was jealous of any further regulations until the existing law was better obeyed. Various orders had been issued in different districts, and various experiments had been tried; but no hon. Member had attempted to advise the Government to adopt any particular course. Notwithstanding the enforcement of strict measures had been recommended, no one had ventured to say what those measures ought to be. He had no confidence in veterinary science, or indeed in doctoring cattle generally. Care ought to be taken that the poor animals should be moved about as little as possible while suffering, and that they should have water and fresh air during their long and painful journeys, and that when landed they should be sent to the market as quickly as possible. He should be only too glad if the Government could put a check on that which was not only troublesome and painful, but a disease which cost the farmers a vast amount of money.

Colonel EGERTON LEIGH gave his hearty support to the Motion of the hon. Member for South Norfolk. They were all fond of meat, and their object should be to make meat cheap, but instead of that they were making it dear. We had not only opened our ports for the admission of cattle but for the diseases brought by these cattle. With respect to the foot-and-mouth disease, it had been proposed that the cattle should be allowed to run wild. That might be a very good plan if they were not liable to a second attack; but it was known that they might be attacked any number of times and were very much weakened by every attack, and the result was that we were gradually obtaining a weakened race of cattle.

Lord ROBERT MONTAGU understood that the Government had agreed to concede all that the hon. Member for South Norfolk had asked for—that the regulations with respect to the cattle disease should be uniform and compulsory not only in the United Kingdom but also in Ireland. The whole of the speech of the hon. Member seemed to point to compulsory slaughter, and two years ago he (Lord Robert Montagu) brought in a Bill to effect that object. He did not say that he was now against what was then proposed; but he had seen many arguments on the other side. The chief argument used against compulsory slaughter was that it would raise the price of meat; but he would tell the House of a common fact with which he became acquainted when he was at the Privy Council Office. It was this—At the commencement of the cattle plague the farmers of England, struck with terror, sent all their cattle to the Metropolitan Market. It was a panic like what was seen sometimes in the City; but what was the effect upon the market? Butchers instantly raised the price of meat, and their excuse was because of the cattle plague! Two years afterwards when the plague had died out the farmers retained their stock, and the butchers again raised their price because the stock was not sent to market. The farmers had suffered greatly, whilst the butchers had profited to the extent of about 284 per cent. He thought that disposed of the chief argument with regard to slaughtering cattle at the ports. He regretted that the Government had not known their mind before. They lost the hon. Member for South Norfolk, who was a valuable Member of the Government, because they did not see that he was right; but now they saw this, and that they were wrong. Having acted in this way towards the hon. Member, who was the representative of the farmers in the House, he asked what would the Government do next? Would they turn to the labourers and enfranchise them? The regulations which were made to put down the cattle plague were intended to prevent contagion and contact, and those regulations had succeeded in their object. But as, he believed, only three in 1,000 animals affected with the foot-and-mouth disease died of it, it was contended that, not being so deadly in its nature as the plague, the same precautions against contact ought not to be taken. The farmers of England, however, desired to see certain regulations carried out for the prevention of the foot-and-mouth disease. In Ireland, of course, the farmers too knew their own business—as a Home Rule Member, they would scarcely thank him if he said otherwise—and had a right to express their wishes as to any regulations that might be proposed. They had no right to impose on the farmers of England their regulations, and he thought that each country ought to have its own regulations. As to free importation throughout the land, he looked upon it as impossible, in consequence of those local differences which must be observed. No hard-and-fast rule, in short, could be laid down in the matter, and great latitude must be left to the Privy Council.

MR. STORER said, that it seemed to be allowed on all hands that the subject was difficult, and certainly the discussion had been full of anomalies; but he did not think there could be any greater anomaly than a Home Rule Member sitting on the Conservative side of the House and voting with the other. He agreed with the hon. Member for South Norfolk as to the great necessity of uniformity of action; and although neither the hon. Member for South Leicestershire (Mr. Pell) nor any other speaker had satisfactorily explained the proper mode of dealing with the foot-and-mouth disease, they all seemed to agree in the wisdom of at once attacking the chief *foci* of the disease—namely, the fairs and markets and the ports of debarkation. He was glad to hear, on the authority of the noble Lord the Member for Westmeath (Lord Robert Montagu), who must be in the confidence of the Government, that they had agreed to grant all the hon. Gentleman the Member for South Norfolk asked. Now that they had driven the hon. Member like the scapegoat into the wilderness, bearing the official sins of the Government on his head, there would be for them a time of repentance, and he was glad to hear they were about to return to right principles in this matter of dealing with cattle diseases, and, above all, to uniformity of action.

MR. BRUEN said, he hoped the Government would agree to the Amendment of the hon. Member for Sligo (Mr. O'Conor), which was necessary as an interpretation of the Motion of the hon. Member for South Norfolk. That Amendment was backed by the authority of a Select Committee composed of men who knew their business, and who took great pains in investigating the subject. It had also now got the great authority of the right hon. Member for Bradford (Mr. W. E. Forster), whose speech would be read with gratitude by every person in Ireland connected with the cattle trade. For the purpose of preventing the foot-and mouth disease, attempts at isolation were, he believed, useless, and when the Irish farmers sought to have the recommendations of the Committee of 1873 carried they were acting in perfect good faith.

VISCOUNT SANDON said, the noble Lord the Member for Westmeath (Lord Robert Montagu) had caught something of the temper of his adopted country. He remembered hearing that in former times some of the gallant men belonging to the Sister Isle were rather fond of trailing their coats behind them and daring people to tread on them, in order to get up a quarrel. That custom no longer prevailed in Ireland; but it seemed to him that the noble Lord was trying the same trick for his adopted country, and asking his former Party to tread on the tail of his coat. For his own part, he was not going to fall into the trap which the noble Lord had laid for them. The question was far too important to be treated in a jesting spirit or in a light manner, and he rejoiced that this evening it had been treated, not only as a very grave and serious question, but also as a very difficult one. All who had joined in the discussion agreed that we must face the difficulty, and all expressed a hope that as time went on Her Majesty's Government would deal with it properly. If the subject were regarded from the farmers' point of view, its importance could not be overrated. He was anxious that none of the farmers in the United Kingdom should think Her Majesty's Government underrated their sufferings from the various diseases which of late years had ravaged their flocks and herds. Every one must feel the deepest sympathy and compassion for our farmers if he had seen their beautiful flocks—the pride sometimes of many generations and part of the glory of the United Kingdom—suffering from these loathsome diseases. It was true that many of the diseases had not been in the long run very fatal, and some Members had spoken of the foot-and-mouth disease as if it were a very slight thing. Still he, for one, could not forget what it must be for a farmer, and particularly a small tenant, to see the daily wasting of his stock. It was no slight matter to find the supply of milk suddenly disappear, to find that butter was no longer forthcoming for the market, and to find that when they expected an increase in their flocks and herds the increase was still-born or did not appear at all. It was no slight thing to have the vigour taken away from the animals to which they might have trusted for reproducing their herds. On the part of himself and his Colleagues he begged to express the warmest feelings of sympathy for the farmers of this country in the very grievous sufferings they had undergone. That suffering if it had occurred during the last three years would have fallen on the farmers when they were likewise suffering from very bad times. In England at any rate there had been little margin of profit, and considering that, in addition, they had the devastation of these infectious and contagious diseases, he did not wonder at the farmers appealing in large numbers to their Representatives and to Her Majesty's Government, to see whether the Government could not, wisely and safely, give them some relief. But, secondly, he must look at the question from another point of view, that of the consumer. They all rejoiced that of late years the working people of this country had been able to consume a great deal more meat than previously. In our great towns we now had great fresh-meat consuming populations. He rejoiced that it should be so; but anything which affected the meat supply of these large communities was of the gravest importance. So that any one with responsibility in this matter must feel, as his right hon. Friend the Member for Bradford (Mr. W. E. Forster) remarked earlier in the evening, that he was touching a very delicate subject if it affected, or was supposed to affect, in any way the supply of meat. No doubt whatever tended to diminish the flocks and herds would be felt, sooner or later, by the consumer. Still it was most important that we should keep distinctly in view that in any act of the Privy Council with regard to food supply, artificial means were not used to affect the price of food. The position and duty, therefore, of the Privy Council were obvious—they must carry out whatever was done in a perfectly impartial manner between the consumer and the producer. He would now make a few remarks on the interesting speech of the hon. Member for South Norfolk, to whom, if they wished for instruction on this subject, they must look. Speaking for the Ministry generally and for himself he could not but express the regret they felt that he no longer sat beside them as the valued Colleague of the last two years. That chapter was now closed he was afraid, and he would therefore make a few remarks on his hon. Friend's speech. It was based mainly on the importance of securing uniformity in the various Orders and regulations relating to the stoppage of disease. Having spoken of quarantine and isolation of stock, and other matters of importance, he referred to the number of foreign cattle imported, and he appeared at one moment to speak slightingly of the foreign supply. He (Viscount Sandon) therefore felt bound to refer to the figures, which showed that the foreign supply was of importance, as half of it was slaughtered in London for the supply of the great metropolis. There were last year 200,000 cattle and 756,000 sheep imported, and more than half remained in the metropolis. These figures were small indeed in comparison with the flocks and herds of England; but as bearing on the meat supply of London they were of considerable importance. Then his hon. Friend asked why sundry recommendations of the Select Committee had not been carried into execution. One of these had reference to the compensation which the Committee recommended should be extended to three-fourths of the loss of the animal. Well, steps had been taken to raise the compensation to three-fourths of the value, the Department having found it almost impossible to work out what the Committee recommended as to the three-fourths of the loss. Then there came the question of the isolation for two months instead of one month. To effect that change fresh legislation would be requisite, and merely for the sake of such a change it would be considerable risk for the Government to bring in a Bill. Again, the fusion of the local authorities was a large question, which would lead to fresh legislation. He now came back to his hon. Friend's contention that uniformity of the rules and regulations was the great *desideratum.* He had no hesitation in saying that the Government were completely of opinion that uniformity was an object not only most excellent in itself, but one at which we must aim steadily and perseveringly. Moreover, the Government had already taken steps to effect uniformity. There were two classes of Orders—one relating to severe disorders and the other relating to foot-and-mouth disease. As soon as the Irish Bill had passed they would, in fact, have secured uniformity with regard to severe diseases all over the United Kingdom. This, surely, was a pledge that the Government were most anxious to advance as much as possible the principle of uniformity. When the present Government assumed office in 1874 they were brought face to face with the recommendations of the Select Committee. As to the foot-and-mouth disease, the Committee spoke with very great doubt. They said the opinions on the subject were exceedingly various and conflicting, both as regarded the amount of loss and the measures which had been adopted to meet it; and they further said their conviction was that the only mode of stamping out the disease would be to use the cattle plague regulations. The Committee said that the enforcement of such regulations for foot-and-mouth disease would require a numerous staff of Inspectors, and an amount of supervision by the Central authority which would excite much local opposition and such an interference in the trade in animals as would much affect prices, and would induce, not only the consumer, but the producer, to think that the remedy would be worse than the disease. This was the position of things in 1874, and the Lord President then carefully considered the whole subject of cattle regulations, coming to the conclusion that large changes, especially with reference to Ireland, would probably be needed. He felt, however, that the more he considered the subject the more care was required in dealing with it, and the more time was required for consulting authorities both in Ireland and in England. Meanwhile, numerous deputations waited upon the Lord President, both from the Royal Agricultural Society and from English counties, expressing anxiety that the former regulations as to foot-and-mouth disease should be re-enacted. The feeling seemed to be so widely spread that the Lord President felt bound to allow once more the use of the regulations, especially as he could not hope for a year or two to carry out the larger changes which might be necessary. That there was a considerable wish throughout the country for these Orders was shown by the fact that in 41 English counties out of the 58, and in 21 Scotch counties out of the 34, regulations had been passed owing to these Orders in Council. It was felt to be of great importance to assimilate the Irish law to that of England respecting these cattle disorders. The Lord President had also been arranging with the Irish authorities for a more perfect inspection at the Irish ports of the cattle leaving those ports, and it was hoped that if these arrangements were made, much of the inspection on the English side might be relaxed, which would be a great gain to the parties. Then a new set of Inspectors had been appointed—five travelling Inspectors, whose duty it was to go up and down the country and see that the orders under the Act were properly carried out. The happiest results had followed from the appointment of these Inspectors; and if the Government found that they were not numerous enough for the work, they would apply to Parliament for an increase of the staff, being thoroughly determined that that part of the work should be efficiently done. One part of the duty of these Inspectors was a prosecution of the railway companies and shipowners who had broken the law, and to scatter warnings among the great carriers of the country. Lastly, on the list of remedial measures, arrangements had been concluded with the Board of Trade by which all ships would be inspected by that Board which carried cattle. Thus there would be a fresh security for these vessels being in a proper condition. As the hon. Member (Mr. Read) had said, nothing contributed more to disease than dirt, and the manner he had indicated would be to secure not only cleanliness, but the humane treatment of the stock imported. Such were the steps taken by the Government. As to the future, they proposed to watch carefully during the next few months the changes hitherto made. If, through these changes, the foot-and-mouth disease were diminished, the way might then become clear for the abrogation of the existing Order. This was one alternative. The other was to make the Orders in Council much more stringent. There had been a remarkable diversity of opinion on this point to-night. Almost every one wished for uniformity in the regulations, but there was great difference of opinion as to what those regulations should be. Under these circumstances, the Government believed that it would be the wisest course, while accepting the principle of uniformity, to endeavour to attain it by the mildest means. He hoped the House would be willing that the Government should wait and watch. He would beg the House to remember that all this machinery of inspection, and going into people's yards and fields and telling them that they must not move their flocks and herds, was in itself a very vexatious and undesirable state of things. The system was one which we all disliked, and we submitted to it only as a precaution against greater evils. But the system was not only vexatious, it was also costly, and we ought to keep this object in view; instead of increasing, we should diminish interference with the agricultural population. The Government had, as he had shown, taken some considerable steps forward; they were most anxious to prevent the spread of disease; but they felt that they must keep this in view, that any unnecessary interference either with the meat supply of the people or with the farmer in his daily pursuits would be a great evil. He begged the House to accept the assurance of the Government that they were as warmly in favour of uniformity as any hon. Member, and that they thought conflicting orders in different parts of the country would, if persevered in, become absolutely intolerable, and could not be contemplated as a permanent arrangement. He asked the House to remember the various opinions which had been expressed to-night as to what should be done, and to accept the assurance of the Government that they were most earnest in the matter. The Lord President of the Council was constantly watching over this most difficult subject. He asked the House, then, not to tie the hands of the Government by either of the Resolutions on the Paper, but to allow them to go on with the great changes they had commenced, and in time to propose regulations which would be satisfactory to the House.

MR. CLARE READ said, after the satisfactory statement of the noble Lord that the Government accepted the principle of uniformity he would not be justified in asking the House to divide. He was very glad to hear that the Government had accepted that principle, and he would merely remark that all they had done to carry it out had been done since November last.

MR. PARNELL objected to the withdrawal of the Amendment, as he considered the noble Lord's speech unsatisfactory.

Amendment and Motion, by leave, *withdrawn.*

SAINT VINCENT (TREATMENT OF COOLIES).

MOTION FOR AN ADDRESS.

MR. ERRINGTON rose to call attention to certain abuses in the treatment of Coolies in the island of Saint Vincent, West Indies, and to move—

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies or Extracts of any Correspondence which may have passed from the 1st day of August 1875 to the present date, between the Governor of the Windward Islands, the Lieutenant Governor of Saint Vincent, and the Colonial Office, relative to alleged abuses in treatment of Coolies in Saint Vincent."

The hon. Gentleman observed, that the regulations with regard to the Coolie traffic at St. Vincent were not so stringent as in other colonies, and that the administration of these regulations was also of an unsatisfactory character. What was required was a complete system of inspection, accompanied by careful statistics regularly published. This was done in the Island of Trinidad. There was not even a Return of the number of Coolies in the Island of St. Vincent. He had, however, ascertained, from private sources, that there were between 1,800 and 2,000 of them, scattered over 26 estates. There was one Emigration Agent in the whole colony, and he had to discharge also the duty of Inspector of Schools, 60 in number. In Trinidad there were several Emigration Agents, sub-agents, and assistants, resident in different parts of that Island. Then, the inspections in St. Vincent were almost of a purely formal character, and when they did take place, which was not often, the owners of the estates knew beforehand of the intended visits of the Inspector. There were only two or three interpreters for the whole of the Island, and not one in two of the most important police districts, containing some 800 Coolies. With regard to the Coolie laws, he was astonished to find that copies of the Acts could not be obtained because they were out of print, which was the first step towards the law which those Acts embodied becoming a dead letter. Then the costs and fees in the Law Courts pressed heavily on the Coolies, though formerly both they and the masters had been exempt from paying costs and fees. The administration of the Coolie law was practically in the hands of the Clerk of the Court. There were great anomalies in the administration of Coolie law by the three justices, and the constitution of the Executive Council was most unsatisfactory. He trusted that the hon. Gentleman who represented the Colonial Office in that House would be able to assure them that this matter would not be overlooked; that inquiries would be made and instructions issued, of the nature of which the House would be duly informed. As to the Papers he would not press for them, if the hon. Gentleman thought their production inexpedient; but many, very many, persons in this country who took the deepest interest in the Coolie question would be perfectly satisfied if they knew that the matter had the attention of the noble Earl at the head of the Colonial Office (the Earl of Carnarvon), whose policy commanded in so singular a manner the approbation and approval of the country.

SIR GEORGE CAMPBELL, in seconding the Motion, said, that other colonies, like St. Vincent, received Coolies with the understanding that when their term of service was completed they would become freemen. He believed that that bargain was not always carried out, because the administration of the law in those colonies was almost entirely in the hands of the planters and merchants. The Coolie question was a most important one. The system under which it was regulated in the tea districts in India which imported Coolies ought to be also practised in these Crown colonies, in order to secure a pure administration of justice. That was to say, the administrative officers and the traders should have no connection with the planting interest.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies or Extracts of any Correspondence which may have passed from the 1st day of August 1875 to the present date, between the Governor of the Windward Islands, the Lieutenant Governor of Saint Vincent, and the Colonial Office, relative to alleged abuses in treatment of Coolies in Saint Vincent."—(*Mr. Errington.*)

Mr. J. LOWTHER admitted that the subject was one of importance and had been ably introduced by the hon. Member. It had been stated that some system in reference to Coolie labour would have to be settled, and that the existing system should not be encouraged any further. Without saying that the whole system was properly regulated, he might say that in this Island it was upon a sound system. There were 35,000 souls upon the Island, of whom 2,400 were Europeans, 24,000 were Africans, who were not devoted adherents to manual labour. The population of the Island was not, therefore, capable of developing its resources; but he agreed that the importation of Coolies should be strictly watched. As to the want of adequate inspection, the Coolie population was under 1,500, and there was an Emigration Agent, who was a very efficient officer. As to the fees in the Courts, they were merely nominal, and did not deter any person from bringing his case into Court. The death-rate amongst Coolies according to the last accounts was very low, and the Emigration Agents reported that the condition of that class was generally good, tolerable evidence that they were not subjected to the deplorable ill-treatment which the hon. Gentleman supposed. He might add that none of the gentlemen to whom reference was made were planters, and that it was a mistake to suppose that the administration of justice was entirely in the hands of persons of that class. As to the Papers mentioned, he had no objection to their production; but he did not think the hon. Gentleman would find that they bore out his case.

Lord FREDERICK CAVENDISH thought, from his knowledge of this Island, that the Coolie system would require careful and constant watchfulness on the part of the Foreign Office.

Question put, and *agreed to.*

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.

LEAVE. FIRST READING.

The LORD ADVOCATE: Sir, I have to move for leave to bring in a Bill to amend the Law in regard to Ecclesiastical Assessments in Scotland. For a very considerable period my attention has been given to this subject. It is one attended with numerous difficulties, and I am not sanguine enough to suppose that all of these difficulties will be obviated by the Bill which I now ask leave to introduce. Assessments for building and repairing churches and manses have been imposed in Scotland ever since the Reformation. The incidence of the assessment has been varied at different times, but about the end of last century it had come to rest upon the land as, distinguished from any other kind of property. Its apportionment on the land was regulated in each parish by the valued rent—*i.e.*, the old valuation made for the purpose of the land tax, and which is still the basis of that tax. Since 1800, however, partly in consequence of certain decisions of the Court of Session, and still more in consequence of the passing of the Valuation Act of 1854, the church and manse assessments have, in a large number of parishes, come gradually to be imposed, not on the land according to the valued rent, but on all heritable subjects, including houses, manufactories, and railways, according to the real rental as shown by the valuation roll. One of the results of this has been that the feuars—that is to say, the owners of small pieces of land generally occupied by houses—have come unexpectedly to be subject to assessment, although they were not so previously. The amount of the assessment laid on these feuars has been generally very small—so small, indeed, as to be in many cases not worth collecting; but the putting them occasionally in force has been sufficient to create and to keep up a considerable amount of dissatisfaction against these assessments. This, I need scarcely say, has not been diminished where sectarian feelings have come into play, as, of course, they are apt to do in a country in which religious divisions exist to so great an extent as in Scotland. I desire, however, at once to say that, in the proposals which I am about to make—whilst I am far from undervaluing the conscientious scruples of Dissenters—I cannot admit that, except in the case of the churches and manses of Dissenting ministers—which I think should be exempted—there is any sufficient reason for legislation in regard to the assessments, which are a burden on land. What I propose to do is to restore, as far as possible, the basis of assessment which existed before the change introduced by the decision and the statute which I have already referred to. The Bill provides—

"1st, That in those parishes and cases in which the valued rental is now the basis of ecclesiastical assessment it shall continue to be so.

"2nd, That in all other parishes and cases these assessments shall be imposed on the land alone according to its yearly value, exclusive of the buildings on it, no assessment being imposed on any subject where such yearly value is under £4.

"3rd, That for the purpose of ascertaining this yearly value of the land, exclusive of the buildings on it, the assessors under the Valuation Acts will be required to estimate the same, and enter it in a column to be added, for that purpose, to the existing valuation rolls."

The effect of this provision, which will relieve the feuars' houses, &c., will be in some parishes to increase the burden upon the owners of agricultural land; and, in order to lighten that burden, I propose to enable the ecclesiastical assessments to be spread over a period of 20 years instead of 10 years, as is now competent. I cannot, indeed, expect that these proposals will be satisfactory to every one. I can only say that they are the result of very careful consideration on the part of the Government, and I have also had the benefit of the advice of many of my hon. Friends from Scotland who sit near me.

Bill to amend the Law in regard to Ecclesiastical Assessments in Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary CROSS, and Sir HENRY SELWIN-IBBETSON.

Bill *presented*, and read the first time. [Bill 106.]

MARINE MUTINY BILL.

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House adjourned at half after Twelve o'clock.

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HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXXVII.

FIRST VOLUME OF SESSION 1876.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st. Div.*, 2*nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

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When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Amendt. on Committee of Supply *Mar* 3, To leave out from "That," and add "the parish churchyards of England and Wales having been by the common law of England appropriated to the use of the entire body of the parishioners, it is just and right, while making proper provision for the maintenance of order and decency, to permit interments in such churchyards either without any burial services or with burial services other than those of the Church of England, and performed by persons other than the Ministers of that Church" (*Mr. Osborne Morgan*) *v.*, 1296; Question proposed, "That the words, &c.;" after long debate, Question put; A. 279, N. 248; M. 31
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(*Sir Michael Hicks-Beach, Mr. Solicitor General for Ireland*)
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(*Mr. J. G. Hubbard, Mr. Goschen, Mr. Twells*)
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c. Ordered; read 1° * *Feb* 9 [Bill 25]

Churchyards—Owston Churchyard
Question, Mr. Watkin Williams; Answer, Mr. Assheton Cross *Mar* 2, 1202

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(*Mr. Solicitor General for Ireland, Sir Michael Hicks-Beach*)
c. Motion for Leave (*The Solicitor General for Ireland*) *Feb* 18, 544; Motion agreed to; Bill ordered; read 1° * [Bill 82]

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Coast and Deep Sea Fisheries (Ireland) Bill (*Dr. Ward, Mr. Butt, Mr. Collins, Sir Joseph M'Kenna*)
c. Ordered; read 1°* *Feb* 9 [Bill 9]

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Contagious Diseases (Animals), Res. 2055
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Colonial Marriages Bill
(*Sir Thomas Chambers, Dr. Cameron, Mr. Young*)
c. Ordered; read 1°* *Feb* 24 [Bill 87]

Commons Bill
(*Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*)
c. Motion for Leave (*Mr. Assheton Cross*) *Feb* 10, 186; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 51]
Moved, "That the Bill be now read 2°" *Feb* 18, 525
Amendt. to leave out from "That," and add "this House considers that the Bill does not provide sufficient facilities for the regulation and improvement of commons in their present open condition, and is of opinion that, after the recent decisions given in regard to Epping Forest and other cases, where inclosures have been illegally and arbitrarily made, no inclosures should be permitted except under the special sanction of Parliament" (*Mr. Shaw Lefevre*) *v.*; Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn
Main Question put and agreed to; Bill read 2°

Conolly, Mr. T., *Donegal Co.*
Electoral County Boards (Ireland), 2R. 771, 774, 775

Consolidated Fund (£4,080,000) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)
c. Resolution [Feb 24] reported; Bill ordered; read 1°* *Feb* 25
Read 2°* *Feb* 28
Committee*—r.p. *Mar* 2
Committee*; Report *Mar* 3
Read 3°, after short debate *Mar* 6, 1437
l. Read 1ª* (*The Lord President*) *Mar* 6
Read 2ª*; Committee negatived; read 3ª *Mar* 7
Royal Assent *Mar* 9 [39 *Vict.* c. 2]

Contagious Diseases Acts Repeal Bill
(*Sir Harcourt Johnstone, Mr. Whitbread, Mr. Stansfeld*)
c. Ordered; read 1°* *Feb* 10 [Bill 55]

Contagious Diseases (Animals)
Moved, "That, in the opinion of this House, the general orders and regulations for the stoppage of Contagious Diseases among Stock should cease to be varying or permissive, and should be uniform throughout Great Britain and Ireland" (*Mr. Clare Read*) *Mar* 14, 2017
Amendt. to add, at end of Question, "and that it is further desirable that the recommendations of the Select Committee of 1873, in relation to foot and mouth disease, should be carried into effect" (*Mr. O'Conor*); Question proposed, "That those words be there added;" after long debate, Amendt. and Motion withdrawn

Coroners (Dublin) Bill
(*Mr. Sullivan, Sir Arthur Guinness, Mr. Maurice Brooks, Mr. Patrick Martin*)
c. Ordered; read 1°* *Mar* 13 [Bill 104]

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Council of India (Professional Appointments) Bill
(*Mr. Raikes, Lord George Hamilton, Mr. William Henry Smith*)
c. Resolution [Feb 11] reported, and agreed to; Bill ordered; read 1° * *Feb* 14 [Bill 69]
Moved, "That the Bill be now read 2°" *Mar* 2, 1278
Amendt. to leave out from "That," and add "it is inexpedient to pass this Bill, as it would throw an additional and unnecessary charge on the Revenues of India" (*Mr. Fawcett*) *v.*; after short debate, Question put, "That the words, &c.;" A. 151, N. 41; M. 110
Main Question put, and agreed to; Bill read 2°
Committee *; Report *Mar* 6
Read 3° * *Mar* 9
l. Read 1ª * (*M. of Salisbury*) *Mar* 10 (No. 28)

County Infirmaries (Ireland) Bill
(*Mr. Meldon, Mr. Parnell, Mr. O'Shaughnessy*)
c. Ordered; read 1° * *Feb* 9 [Bill 47]

County Palatine of Lancaster (Clerk of the Peace) Bill
(*Mr. Hardcastle, Mr. Holt, Mr. Clifton*)
c. Ordered; read 1° * *Feb* 10 [Bill 53]
Moved, "That the Bill be now read 2°" *Feb* 15, 335
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Rathbone*); after short debate, Question, "That 'now,' &c." put, and agreed to
Main Question put, and agreed to; Bill read 2°
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Cowan, Mr. J., *Edinburgh*
Army—Sea Ports—Defences—Firth of Forth, 1565, 1566
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Cowen, Mr. J., *Newcastle-on-Tyne*
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The Fenian Prisoners, Question, Mr. M. Brooks; Answer, Mr. Disraeli *Mar* 9, 1718
The Tichborne Claimant, Question, Dr. Kenealy; Answer, Mr. Assheton Cross *Mar* 9, 1712
Wife Desertion—Case of George Warrington, Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *Mar* 14, 2011

Criminal Law Evidence Amendment Bill
(*Mr. Ashley, Mr. George Clive*)
c. Ordered; read 1° * *Feb* 11 [Bill 61]

Cross, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S.W.*
Borough Boundaries, 2010
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(*The Lord Chancellor*)
l. Presented; read 1ª *Feb* 18, 474 (No. 12)
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c. Question, Sir John Lubbock; Answer, Mr. J. G. Hubbard *Feb* 22, 684

CUBITT, Mr. G., *Surrey, W.*
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CUNINGHAME, Sir W. J. M., *Ayr, &c.*
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Customs—The Wine Duties
Moved, "That a Select Committee be appointed to inquire into the present system of levying the Customs Duties on Wine" (*Mr. William Cartwright*) *Mar* 7, 1569; after short debate, Question put, and negatived

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DAVENPORT, Mr. W. BROMLEY-, *Warwickshire, N.*
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DIGBY, Hon. Captain E. T., *Dorsetshire*
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Divine Worship Facilities Bill
(*Mr. Wilbraham Egerton, Mr. Birley, Mr. Whitwell, Mr. Rodwell*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 30]

Dodson, Right Hon. J. G., *Chester*
Consolidated Fund, 3R. 1437
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Dover Harbour Bill
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Downing, Mr. M'Carthy, *Cork Co.*
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Drainage and Improvement of Land (Ireland) Provisional Orders Bill
(*Mr. William Henry Smith, Mr. Solicitor General for Ireland*)
c. Ordered * *Feb* 14
Read 1° * *Feb* 15 [Bill 71]
Read 2° * *Feb* 17
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Read 3° * *Feb* 28
l. Read 1ª * (*The Lord President*) *Feb* 29
Read 2ª * *Mar* 9 (No. 21)
Committee * ; Report *Mar* 10
Read 3ª * *Mar* 13

Drainage and Improvement of Lands (Ireland) Provisional Orders (No. 2) Bill
(*Mr. William Henry Smith, Mr. Solicitor General for Ireland*)
c. Ordered ; read 1° * *Mar* 8 [Bill 99]
Read 2° * *Mar* 13

Drugging of Animals Bill
(*Sir John Astley, Mr. Chaplin, Mr. Rodwell*)
c. Ordered ; read 1° * *Feb* 23 [Bill 85]
Read 2°, after short debate *Mar* 6, 1490

Duff, Mr. M. E. Grant, *Elgin, &c.*
Council of India (Professional Appointments), 2R. 1282

Duff, Mr. R. W., *Banffshire*
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Dynevor, Lord
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East India (Chief Justices of High Courts) Bill
(*Sir George Campbell, Sir George Balfour, Mr. Kinnaird*)
c. Ordered ; read 1° * *Mar* 8 [Bill 98]

Ecclesiastical Assessments (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*)
c. Motion for Leave (*The Lord Advocate*) *Mar* 14, 2076
Motion agreed to ; Bill ordered ; read 1° * [Bill 106]

Ecclesiastical Offices and Fees Bill [H.L.]
(*The Lord Archbishop of Canterbury*)
l. Presented ; read 1ª * *Feb* 10 (No. 3)
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Edwards, Mr. H., *Weymouth*
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Army Estimates—Land Forces, 1466, 1479
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Election of Aldermen (Cumulative Vote) Bill
(*Mr. Heygate, Mr. Russell Gurney, Mr. Fawcett, Mr. Wheelhouse, Mr. Morley*)
c. Ordered; read 1° * *Feb* 9 [Bill 46]

Electoral County Boards (Ireland) Bill
(*Captain Nolan, Mr. O'Clery, Mr. Fay*)
c. Ordered; read 1° * *Feb* 9 [Bill 8]
Moved, "That the Bill be now read 2°" *Feb* 23, 765
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Kavanagh*); after debate, Question, "That 'now,' &c." put, and negatived
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

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Public Elementary Schools, Question, Mr. Heygate; Answer, Viscount Sandon *Mar* 2, 1204
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Elementary Education Act (1870) Amendment Bill
(*Mr. Dixon, Mr. Mundella, Sir John Lubbock, Mr. Trevelyan*)
c. Ordered; read 1° * *Feb* 9 [Bill 14]

Elementary Education (Application for School Board) Bill
(*Mr. Heygate, Mr. Pell, Mr. W. Stanhope, Mr. Sampson Lloyd*)
c. Ordered; read 1° * *Feb* 9 [Bill 16]

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EMLYN, Viscount, *Carmarthen*
Army—Militia Adjutants, 1767

Employers and Workmen Act (1875) Extension Bill
(*Mr. Burt, Mr. Joseph Cowen, Mr. Mundella, Mr. Gourley*)
c. Ordered; read 1° * *Feb* 9 [Bill 23]

Employers Liability for Injury Bill
(*Mr. Macdonald, Dr. Cameron, Mr. Meldon, Mr. Bass*)
c. Ordered; read 1° * *Feb* 9 [Bill 15]

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(*Lord Henry Lennox, Mr. William Henry Smith*)
c. Ordered ; read 1° * *Feb* 11 [Bill 66]
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l. Read 1ª * (*Lord President*) *Mar* 9 (No. 24)
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Committee * ; Report *Mar* 13

Errington, Mr. G., *Longford Co.*
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Saint Vincent (Treatment of Coolies), Motion for an Address, 2073

Eslington, Lord, *Northumberland, S.*
Fugitive Slave Circulars, Res. 840
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Ewing, Mr. A. Orr, *Dumbartonshire*
Burial Services in Parish Churchyards, Res. 1358
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Exchequer Bonds (£4,080,000) Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. William Henry Smith*)
c. Resolutions [Feb 24] reported ; Bill ordered ; read 1° * *Feb* 25 [Bill 89]
Read 2° * *Feb* 28
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Read 2ª * ; Committee negatived ; read 3ª *Mar* 7
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Fawcett, Mr. H., *Hackney*
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(*Mr. Mundella, Sir John Lubbock, Mr. Cowper-Temple*)
c. Ordered ; read 1° * *Feb* 9 [Bill 35]

French, Hon. C., *Roscommon*
Electoral County Boards (Ireland), 2R. 788

Game Laws (Scotland) Bill
(*Mr. M'Lagan, Sir William Stirling Maxwell, Sir Edward Colebrooke, Mr. John Maitland*)
c. Ordered; read 1°* *Feb* 9 [Bill 3]
Moved, "That the Bill be now read 2°" *Mar* 8, 1606
After debate, Amendt. to leave out "now," and add "upon this day six months" (*Lord Elcho*), 1644; after further debate, Question put, "That 'now,' &c.;" A. 172, N. 150; M. 22
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Gibson, Mr. E., *Dublin University*
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Gilpin, Colonel Sir R. T., *Bedfordshire*
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Gower, Hon. E. F. Leveson-, *Bodmin*
Supply—Suez Canal Shares, Res. 630

Grand Jury Laws (Ireland) Bill
(*Mr. Kavanagh, Mr. Gibson, Mr. Ormsby Gore, Mr. Mulholland*)
c. Ordered; read 1°* *Feb* 18 [Bill 80]

Grand Jury Presentments, &c. (Ireland) Bill
(*Mr. Ronayne, Mr. Butt, Mr. O'Shaughnessy*)
c. Ordered; read 1°* *Feb* 9 [Bill 22]
Moved, "That the Bill be now read 2°" *Feb* 23, 788
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Kavanagh*); Question put, "That 'now,' &c.;" A. 153, N. 181; M. 28
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

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HAMILTON, Mr. I. T., *Dublin Co.*
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Resolved that an humble address be presented to Her Majesty for Copies of the Order in Council of 7th January, 1864, relating to the Government of Heligoland, and Papers explaining the revocation of that Order in 1868

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(*Sir Eardley Wilmot, Mr. Whitwell*)
c. Motion for Leave (*Sir Eardley Wilmot*) *Feb* 16, 373; Motion agreed to; Bill ordered; read 1°* [Bill 75]
2R. debate adjourned, after short debate *Mar* 8, 1657

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c. Ordered; read 1°* *Feb* 9 [Bill 29]

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Naval College—Greenwich—Examinations, 1865
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Royal Marines, Officers of, 683;—Royal Marines—Increase of Pay, 1717
Screw Propellers, 1865
Troop Ship "Orontes," 928
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Scotch Fisheries, 1418
Supply—Fishery Board in Scotland, 992, 994

Huntly, Marquess of
Cattle Diseases (England and Ireland)—Privy Council Regulations, 124

Imprisonment for Debt Abolition Bill
(*Mr. Fielden, Mr. Thomas Bass, Mr. Cobbett, Mr. Anderson, Mr. Knowles*)
c. Ordered; read 1°* *Feb* 9 [Bill 33]

Increase of the Episcopate Bill
(*Mr. Beresford Hope, Sir John Kennaway, Mr. Thomas Brassey*)
c. Motion for Leave (*Mr. Beresford Hope*) *Feb* 9, 116; after short debate, Motion agreed to; Bill ordered; read 1°* [Bill 11]
[*cont.*

Increase of the Episcopate Bill—cont.

Moved, "That the Bill be now read 2°" *Feb* 16, 337

Previous Question proposed, "That that Question be now put" (*Sir Walter Barttelot*); after debate, Moved, "That the Debate be now adjourned" (*Mr. Hall*); after further short debate, Question put; A. 174, N. 90; M. 84; Debate adjourned

INDIA

MISCELLANEOUS QUESTIONS

Army—Artillery Officers (*India*), Question, Mr. W. Holms; Answer, Lord George Hamilton *Mar* 7, 1567

Bombay Native Army—Dismissal of a Subadar, Question, Mr. Parnell; Answer, Lord George Hamilton *Feb* 22, 682

Civil Service of India—Regulations, Question, Mr. Lyon Playfair; Answer, Lord George Hamilton *Mar* 2, 1202

Coolie Immigration from India to Guiana, Question, Mr. Richard; Answer, Lord George Hamilton *Mar* 9, 1716

Disturbances in the Malay Peninsula—The Papers, Question, Sir George Campbell; Answer, Mr. J. Lowther *Feb* 14, 257;—Address for further Correspondence (*Lord Stanley of Alderley*) *Feb* 28, 1000; after short debate, Motion negatived; Explanation, Lord Stanley of Alderley *Mar* 3, 1283

East India Army—Superannuation, &c. Allowances, Question, Sir George Campbell; Answer, Lord George Hamilton *Mar* 9, 1706

Ecclesiastical Establishments, Question, Mr. O'Reilly; Answer, Lord George Hamilton *Feb* 22, 674

Factory System in India—Legislation, Question, Mr. Anderson; Answer, Lord George Hamilton *Feb* 15, 301

Finance

Depreciation of Silver—The Indian Civil and Military Services, Question, Sir Patrick O'Brien; Answer, Lord George Hamilton *Feb* 14, 260

Tenders for Bills on Bombay, Question, Mr. Alderman W. M'Arthur; Answer, Lord George Hamilton *Feb* 14, 265

The Exchanges, Question, Mr. Beckett-Denison; Answer, Lord George Hamilton *Feb* 14, 262

India Tariff Act, 1875—*The Despatches*, Question, Mr. Fawcett; Answer, Lord George Hamilton *Mar* 9, 1714; Observations, Viscount Halifax; Reply, The Marquess of Salisbury; debate thereon *Mar* 14, 1946

Uncovenanted Civil Service, Question, Mr. Dalrymple; Answer, Lord George Hamilton *Mar* 13, 1869

India—Council of India (*Pensions*)

Council of India [Pensions] considered in Committee *Feb* 11, 237

Moved, "That it is expedient to authorize the payment, out of the Revenues of India, of any Pension that may be granted to any Member of the Council of India" (*Lord George Hamilton*); after short debate, Motion agreed to

India—East India (*Christianity*)

Amendt. on Committee of Supply *Feb* 11, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of—

"1. Circular Letter of Governor General in Council to Local Governments, dated the 14th day of August and the 2nd day of November 1872, calling for Returns of numbers of Christians in congregations, salaries of ministers to same, &c., and of Returns to the same by Local Governments" [and other Papers] (*Mr. O'Reilly*) *v.*, 230; Question proposed, "That the words, &c.;" after short debate, Amendt. and Motion withdrawn

Indian Legislation Bill

(*Lord George Hamilton, Mr. Attorney General*)

c. Motion for Leave (*Lord George Hamilton*) *Feb* 10, 198; Motion agreed to; Bill ordered; read 1°* [Bill 54]

Read 2°, after short debate *Feb* 17, 467

Industrial and Provident Societies Bill

(*Mr. Staveley Hill, Mr. Cowper-Temple, Mr. Rodwell*)

c. Ordered; read 1°* *Feb* 14 [Bill 68]

Read 2°* *Feb* 23

Intoxicating Liquors (Licensing Boards) Bill (*Mr. Joseph Cowen, Sir Henry Havelock, Mr. Burt, Mr. Norwood*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 6]

Intoxicating Liquors (Licensing Law Amendment) Bill

(*Sir Harcourt Johnstone, Mr. Birley, Mr. Pease, Mr. Bell*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 10 [Bill 56]

Intoxicating Liquors (Scotland) Bill

(*Sir Robert Anstruther, Mr. Dalrymple, Mr. Maitland, Mr. Edward Jenkins*)

c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Mar* 1 [Bill 91]

IRELAND

MISCELLANEOUS QUESTIONS

Cattle Disease—Pleuro-Pneumonia, Questions, Mr. J. W. Barclay, Captain Nolan; Answers, Sir Michael Hicks-Beach *Feb* 17, 402

Constabulary—Case of James Brannigan, Question, Mr. Benjamin Whitworth; Answer, Sir Michael Hicks-Beach *Feb* 21, 560

Education

Intermediate Education, Question, Mr. O'Shaughnessy; Answer, Sir Michael Hicks-Beach *Feb* 14, 263

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National School Teachers, Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach *Feb* 17, 404
National School Teachers (Ireland) Act, 1875 — *Contributory Unions,* Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach *Mar* 3, 1294
Workhouse Schools, Question, Mr. O'Clery; Answer, Sir Michael Hicks-Beach *Mar* 9, 1711

Equity Courts—Lord Justice Christian, Question, Mr. Callan; Answer, Mr. Disraeli *Mar* 13, 1871; Personal Explanation, Mr. Law; Reply, Mr. Disraeli *Mar* 14, 2015
Intemperance, Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *Mar* 13, 1865
Irish Ante-Union Statutes, Question, Mr. Law; Answer, The Solicitor General for Ireland *Mar* 14, 2015
Irish Church Temporalities Commissioners—Church Lands, Question, Mr. Fay; Answer, Sir Michael Hicks-Beach *Mar* 3, 1292
Irish Land Act, The—Compensation under the third Clause, Question, The O'Donoghue; Answer, Sir Michael Hicks-Beach *Feb* 10, 135;—*Notices to Quit—Stamps,* Question, Mr. Butt; Answer, The Chancellor of the Exchequer *Mar* 3, 1294

Law and Justice—Union of Legal Offices, Question, Mr. Charles Lewis; Answer, Sir Michael Hicks-Beach *Mar* 10, 1800

Legislation
Bankruptcy Jurisdiction, Question, Mr. Charles Lewis; Answer, Sir Michael Hicks-Beach *Mar* 14, 2012
Civil Bill Courts (Ireland) Bill, Question, Mr. M'Carthy Downing; Answer, The Solicitor General for Ireland *Feb* 29, 1124
Grand Jury System, Question, Mr. Moore; Answer, Sir Michael Hicks-Beach *Feb* 18, 483
Primary Education, Question, Dr. Ward; Answer, Sir Michael Hicks-Beach *Feb* 29, 1122

Municipal Privileges Bill and the Board of Works—Signature of Petitions, Question, Mr. Butt; Answer, Sir Michael Hicks-Beach *Feb* 25, 928
Owners of Land—Irish "Domesday" Book, Question, Mr. Stacpoole; Answer, Sir Michael Hicks-Beach; Observations, Mr. John Bright *Mar* 2, 1208; Question, Mr. John Bright; Answer, Sir Michael Hicks-Beach *Mar* 10, 1798
Peace Preservation (Ireland) Act, 1871—*County of Meath,* Question, Mr. Parnell; Answer, Sir Michael Hicks-Beach *Feb* 21, 561;—*Proclaimed Districts,* Question, Sir Joseph M'Kenna; Answer, Sir Michael Hicks-Beach *Mar* 14, 2012
Public Health—Vaccine Lymph, Question, Mr. Meldon; Answer, Sir Michael Hicks-Beach *Feb* 28, 1021
Sale of Intoxicating Liquors on Sundays, Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *Feb* 29, 1121
Sunday Drinking—Return, Question, Mr. Sullivan; Answer, Sir Michael Hicks-Beach *Mar* 6, 1418

Irish Church Act (1869) Amendment Bill (*Mr. Parnell, Mr. Fay*)
c. Ordered; read 1°* *Mar* 10 [Bill 103]

Italy—Murder of Mr. Hind, near Naples
Question, Sir William Stirling Maxwell; Answer, Mr. Bourke *Feb* 22, 684

JAMES, Sir H., *Taunton*
Fugitive Slaves—Circulars, Res. 741, 743
Supply—Chancery Division of the High Court of Justice, &c. 1848
Report, Amendt. 996

JAMES, Mr. W. H., *Gateshead*
Criminal Law—Sentences, Disproportioned, 1709
Metropolis—Public Offices and Improvements, 402
Supply—Civil Service Commission, 512
Lord Lieutenant of Ireland, Household of, &c. 1839
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Japan and Corea—China
Question, Sir Charles W. Dilke; Answer, Mr. Bourke *Mar* 14, 2014

JENKINS, Mr. D. J., *Penryn, &c.*
Mercantile Marine—Pensions to Seamen, Res. 1837
Merchant Shipping, 2R. 465

JOHNSTONE, Sir H., *Scarborough*
Intoxicating Liquors (Licensing Law Amendment), Leave, 199, 200

Judicature Act (1875) Amendment Bill (*Mr. Meldon, Mr. Butt, Mr. O'Shaughnessy*)
c. Ordered; read 1°* *Feb* 9 [Bill 44]

KAVANAGH, Mr. A. M., *Carlow Co.*
Contagious Diseases (Animals), Res. 2049
Electoral County Boards (Ireland), 2R. Amendt. 769, 787
Municipal Franchise (Ireland), 2R. 1171
Royal Naval College, Greenwich—Examinations, 1864

KENEALY, Dr. E. V., *Stoke-upon-Trent*
Criminal Law—Tichborne Claimant, 1712
Merchant Shipping, 2R. 439
Merchant Shipping Acts—Grain-Laden Vessels, 1024
Royal Titles, 2R. 1758

KENNARD, Colonel E. H., *Lymington*
Army Estimates—Land Forces, 1464

KENNAWAY, Sir J. H., *Devon, E.*
Increase of the Episcopate, 2R. 347, 352

KIMBERLEY, Earl of
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Heligoland, Address for Papers, 1855
Malay Peninsula, Address for Papers, 1017

KINGSCOTE, Lieut.-Colonel R. N. F., *Gloucestershire, W.*
Contagious Diseases (Animals), Res. 2050

KINNAIRD, Hon. A. F., *Perth*
Fiji Islands—Epidemic, 1023
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KNATCHBULL-HUGESSEN, Right Hon. E. H., *Sandwich*
Africa, West Coast of—Gambia, The—Exchange of Territory, 133
Burial Services in Parish Churchyards, Res. 1334
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Railway Passenger Duty, Res. 1598
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KNOWLES, Mr. T., *Wigan*
Supply—Report, 995

LAING, Mr. S., *Orkney, &c.*
Railway Passenger Duty, Res. 1597
Supply—Suez Canal Shares, Res. 641

Landlord and Tenant (Ireland) Act Amendment Bill
(*Mr. Crawford, Mr. Richard Smyth, Mr. Thomas Dickson, Mr. Macartney*)
c. Ordered; read 1°* *Feb* 9 [Bill 40]

Land Tenure (Ireland) Bill
(*Dr. Ward, Mr. Butt, Mr. Richard Smyth, Mr. Meldon, Mr. Ennis*)
c. Ordered; read 1°* *Feb* 9 [Bill 10]
Question, The O'Donoghue; Answer, Mr. Butt *Feb* 24, 817

LANSDOWNE, Marquess of
Army—Martini-Henry Rifle, 669

LAUDERDALE, Earl of
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Iron-clads, Motion for Returns, 1863
Mercantile Marine—Training Ships, 1789, 1792
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MISCELLANEOUS QUESTIONS
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Judicature Act, 1873
Abolition of the Home Circuit, Question, Observations, Viscount Midleton; Reply, The Lord Chancellor *Feb* 18, 475
The Surrey Assizes, Question, Mr. Onslow; Answer, The Attorney General *Feb* 15, 302
Official Referees, Question, Mr. Waddy; Answer, Mr. Assheton Cross *Feb* 15, 302

Judicature Acts — Jurymen, Question, Mr. Lopes; Answer, The Attorney General *Feb* 18, 480
Jury Law—Legislation, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *Feb* 21, 554
Legal Departments Commission, 1874—*The Report*, Question, Observations, Lord Frederick Cavendish; Reply, Mr. W. H. Smith *Mar* 10, 1837
Money Market—Bubble Companies, Fraudulent Practices, &c. — Legislation, Question, Sir George Campbell; Answer, Mr. Assheton Cross *Feb* 24, 810
Public Prosecutors—Legislation, Question, Mr. Whitwell; Answer, Mr. Assheton Cross *Feb* 21, 556
Summary Administration of Justice, Question, Mr. Hopwood; Answer, Mr. Assheton Cross *Feb* 24, 811
Union of Legal Offices (Ireland), Question, Mr. C. Lewis; Answer, Sir Michael Hicks-Beach *Mar* 10, 1800

LAW, Right Hon. H., *Londonderry Co.*
Equity Courts (Ireland)—Lord Justice Christian, Personal Explanation, 2015
Irish Ante-Union Statutes, 2015
Municipal Franchise (Ireland), 2R. 1178

LAWRENCE, Lord
India—Indian Tariff, 1996

LAWSON, Sir W., *Carlisle*
Army Estimates, Res. 1439

LEATHAM, Mr. E. A., *Huddersfield*
Burial Services in Parish Churchyards, Res. 1380
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LEEMAN, Mr. G., *York*
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LEFEVRE, Mr. G. J. Shaw, *Reading*
Army—Increased Pay of the Soldiers, 1295
  Pay of Soldiers and Marines, 1774
Army Estimates—Land Forces, 1475
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  Royal Marines—Increase of Pay, 1717
Navy Estimates—Men and Boys, &c. 1939
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Legal Practitioners Bill
(*Mr. Charley, Mr. William Gordon*)
c. Ordered; read 1°* *Feb* 9 [Bill 43]

Legard, Sir C., *Scarborough*
Metropolis—Piccadilly and Grosvenor Place, 406
Oyster Fisheries, Motion for a Select Committee, 1498

Leigh, Lieut.-Colonel Egerton, *Cheshire Mid*
Army—Commissions, Sale of—Royal Warrant of 1870, 1023
Army—Military Forces, Our, Res. 953
Army Estimates—Land Forces, 1276
Contagious Diseases (Animals), Res. 2064
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Leith, Mr. J. F., *Aberdeen*
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Lennox, Lord H. G. C. G. (First Commissioner of Works), *Chichester*
Metropolis—Miscellaneous Questions
Hyde Park Corner, 815;—Rotten Row, State of, 1206;—Serpentine, 1714
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Lewis, Mr. C. E., *Londonderry*
Bankruptcy Jurisdiction (Ireland), 2012
Law and Justice—Legal Offices (Ireland), Union of, 1800
Municipal Franchise (Ireland), 2R. Amendt. 1166, 1174

Lindsay, Colonel R. J. Loyd, *Berkshire*
Army—Military Forces, Our, Res. 973
Army Recruiting, Res. 1218

Lloyd, Mr. M., *Beaumaris*
Navy—H.M.S. "Vanguard," Loss of, Motion for a Paper, 1092
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Lloyd, Mr. S. S., *Plymouth*
Customs—Wine Duties, Motion for a Select Committee, 1572
Navy—Royal Marines, Officers of, 683

Loans to Foreign States—The Select Committee—The Honduras Minister
Question, Sir John Lubbock; Answer, Mr. Bourke *Feb* 10, 136

Local Finance—Annual Statement
Question, Mr. Paget; Answer, The Chancellor of the Exchequer *Feb* 29, 1122

Local Government in Towns (Ireland) Bill (*Mr. Bruen, Sir Arthur Guinness, Mr. Corry, Mr. Mulholland, Mr. Kavanagh*)
c. Ordered; read 1°* *Feb* 10 [Bill 52]

Local Government Provisional Orders Bill (*Mr. Salt, Mr. Sclater-Booth*)
c. Ordered; read 1°* *Mar* 10 [Bill 102]

Locke, Mr. J., *Southwark*
Channel Islands—Jersey, Royal Court of, 1120, 1121
Metropolis (Parochial System), Res. 308, 309
Supply—Mint, including Coinage, 524
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Lopes, Mr. H. C., *Frome*
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Lowe, Right Hon. R., *London University*
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Lowther, Mr. J. (Under Secretary of State for the Colonies), *York City*
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Gibraltar, Church Endowments in, 225, 262
India—Malay Peninsula, Disturbances in the —Papers, 258
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Prince Edward Island—Land Purchase Act, 1875, 559
Saint Vincent—Treatment of Coolies, Motion for an Address, 2075
West African Settlements — Cession of the Gambia, 1710

Lubbock, Sir J., *Maidstone*
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Lusk, Sir A., *Finsbury*
Army—Knightsbridge Barracks, 1229; Res. 1765
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  Supply—Charity Commission, 505
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    Civil Service Commission, 511
    Copyhold, Inclosure, and Tithe Commission, 515
    Lord Lieutenant of Ireland, Household of, &c. 1842
    Lord Privy Seal, 502
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McArthur, Mr. A., *Leicester*
  Army—Aldershot, Barracks at, 405
    Soldiers, Accommodation for, 1021
  India—Bombay, Tenders for Bills on, 265
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McArthur, Mr. Alderman W., *Lambeth*
  Army—Barracks, Accommodation in, 1766
  Elementary Education Act—Poor Law Relief, 1417
  West Africa—Gambia Settlement, 561, 1710

Macartney, Mr. J. W. E., *Tyrone*
  Electoral County Boards (Ireland), 2R. 782

Macdonald, Mr. A., *Stafford*
  Jury Laws—Legislation, 554
  Mines—Blasting Powder, 136, 1022, 1797
    Reports of Inspectors for 1875, 680
  Railway Passenger Duty, Res. 1600
  Supply—Civil Service Commission, Amendt. 508
    Lord Lieutenant of Ireland, Household of, &c. 1842
    Report, Amendt. 995, 996

Macduff, Viscount, *Elgin and Nairn*
  Game Laws (Scotland), 2R. 1617

McKenna, Sir J. N., *Youghal*
  Customs—Wine Duties, Motion for a Select Committee, 1581
  Peace Preservation (Ireland) Act—Proclaimed Districts, 2012
  Supply—Suez Canal Shares, Res. 619

Mackintosh, Mr. C. F., *Inverness, &c.*
  Game Laws (Scotland), 2R. 1634
  Post Office—Hebrides, Mails to the, 1868
  Sasine Office (Edinburgh), 681

McLagan, Mr. P., *Linlithgowshire*
  Game Laws (Scotland), 2R. 1606, 1656
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McLaren, Mr. D., *Edinburgh*
  Burgesses (Scotland), 2R. 1188; Comm. 1779
  Railway Passenger Duty, Res. 1601
  Supply—Civil Service Commission, 512
    Local Government Board, &c. 516, 517, 520

Makins, Lieut.-Colonel W. T., *Essex, S.*
  Metropolitan Railway, 2R. 809
  Railway Passenger Duty, Res. 1590

Malay Peninsula — The Disturbances at Perak
  Question, Sir George Campbell; Answer, Mr. J. Lowther *Feb* 14, 257
  Moved, "That an humble Address be presented to Her Majesty for further Correspondence respecting the Malay Peninsula" (*Lord Stanley of Alderley*) *Feb* 28, 1000; after short debate, on Question? resolved in the negative
  Personal Explanation, Lord Stanley of Alderley; Reply, The Earl of Carnarvon *Mar* 3, 1283

Malmesbury, Earl of (Lord Privy Seal)
  Chain Cables and Anchors, 547

Manchester, Duke of
  Africa, West Coast of—Exchange of Territory, 392

Manchester Post Office Bill
(*Mr. William Henry Smith, Lord John Manners*)
c. Ordered; read 1° * *Feb* 15 [Bill 72]
  Read 2°, and committed to a Select Committee; List of the Committee *Feb* 28, 1104
  Report *; Re-comm. *Mar* 9 [Bill 100]
  Committee * (*on re-comm.*)—R.P. *Mar* 13
  Committee * (*on re-comm.*); Report *Mar* 14

Manners, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
  Post Office—Miscellaneous Questions
    Cheques, 258
    Hebrides, Mails to the, 1868
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    North American Mail Contracts, 258
    Postal Rates, Reduction of, 303
    Postal Telegraph Service—Royal Engineers, 1711
    Telegraph Cards, 137
    Telegraph Messages, 1413
    Telegraph Stamps, 404
  Telegraphs (Money), 2R. 1490

Marine Mutiny Bill
(*Mr. Raikes, Mr. Hunt, Mr. Algernon Egerton*)
c. Ordered * *Mar* 14

Maritime Contracts Bill
(*Mr. Raikes, Mr. Chancellor of the Exchequer, Mr. Attorney General*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *Feb* 10, 142 [Bill 50]

Marriages (Saint James, Buxton) Bill
(*Sir Henry Selwin-Ibbetson, Mr. Secretary Cross*)
c. Ordered; read 1° * *Feb* 17 [Bill 79]
  Read 2° * *Feb* 24
  Committee *; Report *Feb* 28
  Read 3° * *Mar* 2
l. Read 1ª * (*The Lord Steward*) *Mar* 3 (No. 22)
  Read 2ª * *Mar* 7
  Committee *; Report *Mar* 9
  Read 3ª * *Mar* 13

MARTIN, Mr. P. W., *Rochester*
Burial Services in Parish Churchyards, Res. 1318

MAXWELL, Sir W. STIRLING- *Perthshire*
Game Laws (Scotland), 2R. 1614
Italy—Hind, Mr., Murder of, near Naples, 864

Medical Act Amendment (Foreign Universities) Bill
(*Mr. Cowper-Temple, Mr. Russell Gurney, Dr. Cameron, Mr. Forsyth*)
c. Ordered; read 1° * *Feb* 9 [Bill 36]

Medical Degrees — "Conjoint Examinations"
Question, Mr. Errington; Answer, Viscount Sandon *Mar* 9, 1709

Medical Practitioners (Ireland) Bill
(*Mr. Gibson, Dr. Cameron, Mr. Mulholland, Dr. Ward*)
c. Ordered; read 1° * *Feb* 18 [Bill 81]

MELDON, Mr. C. H., *Kildare*
Animals, Cruelty to, 1295
Civil Bill Courts (Ireland), Leave, 545
National School Teachers (Ireland), 404;—Contributory Unions, 1294
Public Health (Ireland)—Vaccine Lymph, 1021
Supply—Civil Service Commission, 514
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Mercantile Marine
MISCELLANEOUS QUESTIONS
Pensions to Seamen, Observations, Mr. T. Brassey; Reply, Sir Charles Adderley; debate thereon *Mar* 10, 1812
Training Ship Schools, Question, Captain Pim; Answer, Sir Charles Adderley *Feb* 24, 816
Training Ships, Observations, The Earl of Shaftesbury; Reply, The Duke of Richmond and Gordon; debate thereon *Mar* 10, 1780
Uniformity of Nautical Terms, Question, Mr. Anderson; Answer, Mr. Bourke *Feb* 21, 557
Unseaworthy Ships—Returns, Question, Mr. Plimsoll; Answer, Sir Charles Adderley *Feb* 17, 407; Question, Mr. Grieve; Answer, Sir Charles Adderley *Feb* 22, 680
Wreck of the "Royal Adelaide," Question, Captain Digby; Answer, Sir Charles Adderley *Mar* 13, 1868

Mercantile Marine — Pension Fund for Seamen
Moved, "That, in the opinion of this House, it is expedient to establish a compulsory, self-supporting Pension Fund for Seamen" (*Mr. T. Brassey*) *Mar* 10, 1812; debate thereon

Mercantile Marine Hospital Service Bill
Captain Pim, Mr. Wheelhouse)
c. Ordered; read 1° * *Feb* 16 [Bill 76]

Merchant Shipping Acts
MISCELLANEOUS QUESTIONS
Board of Trade Surveys — The "Mount Royal," Question, Dr. Cameron; Answer, Sir Charles Adderley *Mar* 7, 1566
Grain Laden Vessels, Question, Dr. Kenealy; Answer, Sir Charles Adderley *Feb* 28, 1024
Load Line Returns, The, Question, Mr. Wilson; Answer, Sir Charles Adderley *Mar* 9, 1707
Overloading — Detention of Ships, Question, Mr. Anderson; Answer, Sir Charles Adderley *Feb* 29, 1123
Rule of the Road at Sea, Question, Sir John Hay; Answer, Sir Charles Adderley *Feb* 17, 403
Scurvy on Board the "Royal Sovereign," Questions, Dr. Ward; Answers, Sir Charles Adderley *Feb* 15, 302; *Mar* 6, 1414; *Mar* 9, 1715
"Strathclyde," The, Question, The Marquess of Hamilton; Answer, Sir Charles Adderley *Feb* 28, 1024
Unseaworthy Ships of Foreign Nations, Question, Mr. Wilson; Answer, Sir Charles Adderley *Mar* 6, 1419

Merchant Shipping Acts Amendment Bill (*Mr. Plimsoll, Mr. Roebuck, Mr. Samuda, Mr. Kirkman Hodgson*)
c. Acts read; considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *Feb* 9 [Bill 34]

Merchant Shipping Bill (*Mr. Raikes, Sir Charles Adderley, Mr. Edward Stanhope*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *Feb* 10, 163 [Bill 49]
Read 2°, after long debate *Feb* 17, 428

Merchant Shipping [Salaries, &c.]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 2, 1282; Question put; A. 71, N. 34; M. 37; Matter considered in Committee; a Resolution agreed to

METROPOLIS
MISCELLANEOUS QUESTIONS
Street Improvements
Hyde Park—State of Rotten Row, Question, Mr. Pease; Answer, Lord Henry Lennox *Mar* 2, 1206
Piccadilly and Grosvenor Place, Question, Sir Charles Legard; Answer, Lord Henry Lennox *Feb* 17, 406
Public Offices and Approaches, Question, Mr. James; Answer, Lord Henry Lennox *Feb* 17, 402
Removal of Snow, Question, Mr. Heygate; Answer, Mr. Assheton Cross *Feb* 17, 399
Repaving the Streets, Question, Lord Ernest Bruce; Answer, Sir James Hogg *Feb* 24, 815
Serpentine, The, Question, Mr. Pease; Answer, Lord Henry Lennox *Mar* 9, 1714
Temple Bar, Question, Mr. Edwards; Answer, Mr. Assheton Cross *Mar* 2, 1203

[*cont.*

Metropolis—*cont.*
- *Thames—The, Prevention of Floods—Legislation,* Question, Mr. Locke ; Answer, Sir James Hogg *Mar* 7, 1568
- *Traffic at Hyde Park Corner,* Question, Observations, Viscount Enfield ; Reply, The Duke of Richmond and Gordon ; short debate thereon *Feb* 21, 548 ; Question, Lord Ernest Bruce ; Answer, Lord Henry Lennox *Feb* 24, 814
- *Victoria Embankment, The,* Question, Colonel Beresford ; Answer, Sir James Hogg *Mar* 13, 1867

Metropolis Gas Companies Bill
(*Sir James Hogg, Sir Andrew Lusk, Mr. Goldney*)
c. Ordered ; read 1° * *Feb* 9 [Bill 28]

Metropolis (*Parochial System*)
- Moved, "That, in the opinion of this House, the parochial system is unsuitable and inadequate to the reasonable requirements of the inhabitants of the Metropolis ; and that the subject deserves the attention of Her Majesty's Government, with a view to remove by legislation the great evils which at present exist" (*Sir William Fraser*) *Feb* 15, 308 ; after short debate, Motion withdrawn

Metropolitan Board of Works Bill (*by Order*)
- *c.* Moved, "That the Bill be now read 2°" (*Sir James Hogg*) *Feb* 24, 806
- Amendt. to leave out "now," and add "upon this day six months" (*Sir Sydney Waterlow*) ; Question proposed, "That 'now,' &c. ;" Amendt. withdrawn ; main Question put, and agreed to ; Bill read 2°

Metropolitan Railway Bill (*by Order*)
- *c.* Moved, "That the Bill be now read 2°" (*Sir Edward Watkin*) *Feb* 24, 807
- Amendt. to leave out "now," and add "upon this day six months" (*Lord Claud Hamilton*) ; after short debate, Question put, "That 'now,' &c. ;" A. 125, N. 194 ; M. 69
- Words added ; main Question, as amended, put, and agreed to ; 2R. put off for six months
- Notice of Question, Sir Edward Watkin *Feb* 29, 1119

Midleton, Viscount
- Judicature Act, 1873—Home Circuit, Abolition of, 475, 478
- Mercantile Marine—Training Ships, 1792

Mills, Mr. A., *Exeter*
- Education Code—Subjects, Choice of, Res. 1808
- Parliament—Private Bills—Referees, Motion for a Select Committee, 494
- Slave Trade Legislation—Royal Commission, 398
- West African Settlements—Gambia, Cession of the, 683

Mines
- *Accidents in Coal Mines,* Question, Mr. Sidebottom ; Answer, Mr. Assheton Cross *Feb* 22, 674
- *Mines Act—Use of Blasting Powder—Legislation,* Questions, Mr. Macdonald ; Answers, Mr. Assheton Cross *Feb* 10, 136 ; *Feb* 28, 1022 ; *Mar* 10, 1797
- *Mines Inspectors Reports for* 1875, Question, Mr. Macdonald ; Answer, Mr. Assheton Cross *Feb* 22, 680

Minto, Earl of
- Scottish Teinds—Returns, 1118

Monastic and Conventual Institutions Bill
(*Mr. Newdegate, Mr. Holt, Sir Thomas Chambers*)
c. Ordered ; read 1° * *Feb* 9 [Bill 24]

Moncreiff, Lord
- Appellate Jurisdiction, 2R. 922

Monk, Mr. C. J., *Gloucester City*
- Admiralty—Civilian First Lords, Res. 1877
- Exchequer Bonds, 3R. 1434
- Increase of the Episcopate, 2R. 351
- Ordnance Survey—Civil Assistants, 811
- Suez Canal—Sir Daniel Lange, 1207
- Supply—Charity Commission, 504
  - Civil Service Commission, 508
  - Lord Privy Seal, Amendt. 502
  - Report, 997

Montagu, Right Hon. Lord R., *Westmeath*
- Contagious Diseases (Animals), Res. 2064
- Egypt—Suez Canal—English Representatives, 561
  - Suez Canal Company—Statutes and Bye-Laws, 229, 265
- Supply—Civil Service Commission, 508
  - Local Government Board, &c. 518
  - Suez Canal Shares, 294

Montgomery, Sir G. G., *Peeblesshire*
- Game Laws (Scotland), 2R. 1638, 1639
- Prince Edward Island—Land Purchase Act, 1875, 559

Moore, Mr. A. J., *Clonmel*
- Electoral County Boards (Ireland), 2R. 781
- Grand Jury System (Ireland)—Legislation, 483

Morgan, Mr. G. Osborne, *Denbighshire*
- Burial Services in Parish Churchyards, Res. 1296, 1332
- Fugitive Slave Circulars, Res. 737

Morley, Earl of
- Firman on Reforms—Sublime Porte—Andrassy Note, Address for Papers, 1407
- University of Oxford, 1R. 803 ; 2R. 1687

Mowbray, Right Hon. J. R., *Oxford University*
- Increase of the Episcopate, 2R. 355

MULHOLLAND, Mr. J., *Downpatrick*
Electoral County Boards (Ireland), 2R. 777
Municipal Franchise (Ireland), 2R. 1176
Parliament—Address in Answer to the Speech, 63

MUNDELLA, Mr. A. J., *Sheffield*
Education — Factories Act, 1874 — Examinations, 261
Education—Legislation, 1714
Municipal Officers Superannuation, Comm. 1604
Patent Laws—Legislation, 484
Supply — Civil Service Commission, 508; Amendt. 513, Amendt. 1099
Report, 997
Trade Union Act (1871), 678

Municipal Corporations (England and Wales), Unreformed
Moved, "That, in the opinion of this House, it would be desirable to forthwith abolish all criminal jurisdiction exercised by unreformed Municipal Corporations or their officers, with the exception of that of the City of London, for which due provision has been made by statute" (*Sir Charles W. Dilke*) *Feb* 29, 1126; after debate, Motion withdrawn

Municipal Corporations, &c. (Funds) Bill
(*Sir Sydney Waterlow, Mr. Mundella, Mr. Morley, Mr. Leeman, Mr. Dixon*)
c. Ordered; read 1°* *Mar* 10 [Bill 101]

Municipal Franchise (Ireland) Bill
(*Major O'Gorman, Mr. Butt, Mr. Richard Power, Sir Colman O'Loghlen*)
c. Ordered; read 1°* *Feb* 9 [Bill 7]
Moved, "That the Bill be now read 2°" *Mar* 1, 1164
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Charles Lewis*); after debate, Question put, "That 'now,' &c.;" A. 148, N. 176; M. 28
Words added; main Question, as amended, put, and agreed to; 2R. put off for six months

Municipal Officers Superannuation Bill
(*Mr. Rathbone, Mr. Birley, Mr. Dixon, Mr. Cawley, Mr. Kirkman Hodgson, Mr. Torr*)
c. Ordered; read 1°* *Feb* 9 [Bill 2]
Moved, "That the Bill be now read 2°" *Feb* 15, 322
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Fielden*); after short debate, Question put, "That 'now,' &c.;" A. 101, N. 94; M. 7
Main Question put, and agreed to; Bill read 2°
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 7, 1603
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Fielden*) *v.*; after short debate, Question put, "That the words, &c.;" A. 68, N. 88, M. 20
Words added; main Question, as amended, put, and agreed to; Committee put off for six months

Municipal Privileges (Ireland) Bill
(*Mr. Maurice Brooks, Mr. Butt, Mr. Ronayne*)
c. Ordered; read 1°* *Feb* 9 [Bill 39]
Moved, "That the Bill be now read 2°" *Feb* 17, 468
Amendt. to leave out "now," and add "upon this day six months" (*Sir Arthur Guinness*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn
Main Question put, and agreed to; Bill read 2°

MUNTZ, Mr. P. H. *Birmingham*
Army—Knightsbridge Barracks, Res. 1766
Army—Military Forces, Our, Res. 974
Army Estimates—Land Forces, 1463
Pay and Allowances, 1487
Game Laws (Scotland), 2R. 1637
South Kensington Museum—Art Library, 1567
Supply—Lord Lieutenant of Ireland—Household of, &c. 1842
Mint, including Coinage, 523
Public Works in Ireland, 1844; Amendt. 1846
Valuation of Property, Leave, 248

MURE, Colonel W., *Renfrew*
Army Estimates—Land Forces, 1479
Army Recruiting, Res. 1215

MURPHY, Mr. N. D., *Cork City*
Supply—Lord Lieutenant of Ireland, Household of, &c. 1841

Mutiny Bill (*Mr. Raikes, Mr. Secretary Hardy, The Judge Advocate*)
c. Ordered; read 1°* *Mar* 9
Question, Mr. P. A. Taylor; Answer, Mr. Gathorne Hardy *Mar* 13, 1873

NAGHTEN, Mr. A. R., *Winchester*
Army—Militia Adjutants, 1768
Militia, Staff-Sergeants of, 812
Army Estimates—Land Forces, 1273
Mercantile Marine—Blackwood's "Night Helm Indicator," 1208

NAPIER AND ETTRICK, Lord
Appellate Jurisdiction, Comm. *cl.* 6, 1288

National Gallery, The—The Wynn Ellis Bequest
Question, Mr. Hankey; Answer, Mr. W. H. Smith *Feb* 21, 560

NAVY

MISCELLANEOUS QUESTIONS

Arctic Expedition, The, Question, Captain Pim; Answer, Mr. Hunt *Feb* 17, 401

British and Foreign Iron-Clad Navies, Observations, Mr. E. J. Reed; Reply, Mr. Hunt; debate thereon *Mar* 13, 1891

Chain Cables and Anchors, Question, Observations, The Duke of Somerset; Reply, The Earl of Malmesbury; short debate thereon *Feb* 21, 545

Circular Ships, Question, Mr. Hanbury-Tracy; Answer, Mr. Hunt *Mar* 10, 1798

Coal, Question, Mr. Hussey-Vivian; Answer, Mr. Hunt *Mar* 6, 1413

Collision of the "Alberta" and the "Mistletoe" —Baron Bramwell, Question, Mr. Anderson; Answer, Mr. Assheton Cross *Feb* 14, 258; Questions, Mr. T. E. Smith, Mr. Anderson; Answer, Mr. Hunt *Mar* 2, 1203

H.M.S. "Devastation," Question, Captain Nolan; Answer, Mr. Hunt *Mar* 2, 1207

H.M.S. "Serapis"—Chain Cables, Question, Mr. Bentinck; Answer, Mr. Hunt *Mar* 9, 1708

Naval Cadets, Question, Mr. Shaw Lefevre; Answer, Mr. Hunt *Feb* 24, 816

Navigating Officers, Question, Mr. Anderson; Answer, Mr. Hunt *Feb* 22, 682

Officers of Royal Marines, Question, Mr. Sampson Lloyd; Answer, Mr. Hunt *Feb* 22, 683;—*The Royal Marines—Increase of Pay,* Question, Mr. Shaw Lefevre; Answer, Mr. Hunt *Mar* 9, 1717

Royal Naval College, Greenwich—Examinations, Question, Mr. Kavanagh; Answer, Mr. Hunt *Mar* 13, 1864

Screw Propellers, Question, Captain Pim; Answer, Mr. Hunt *Mar* 13, 1865

The Troop-Ship "Orontes," Question, Mr. Palmer; Answer, Mr. Hunt *Feb* 25, 928

Widows of Seamen and Marines, Question, Captain Price; Answer, Mr. Hunt *Feb* 18, 482

Navy—Iron-Clads—The Suez Canal

Moved, "That there be laid before this House, Return of the draught of water of each first-class ironclad, noting in each case whether such ship could or could not pass through the Suez Canal when complete in coal, provisions, stores, and armament" (*The Lord Dunsany*) *Mar* 13, 1855; after short debate, on Question? resolved in the negative

Navy—Loss of H.M.S. "Vanguard"

Question, Mr. Goschen; Answer, Mr. Hunt *Feb* 10, 132; Question, Mr. Parnell; Answer, Mr. Hunt *Feb* 14, 263

Orders of the Day postponed *Feb* 28

Moved, "That there be laid before this House, a Copy of a further Minute relating to the loss of H.M.S. 'Vanguard'" (*Mr. Goschen*) *Feb* 28, 1026

Amendt. to leave out from "That," and add "in the opinion of this House the opportunity should be afforded to the Admiral in Command, Vice Admiral Sir Walter Tarleton, K.C.B. of clearing his reputation by being tried by a Court Martial" (*Captain Pim*), v., 1074; Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Seely*); Motion withdrawn

Question again proposed; Amendt. withdrawn; main Question put, and agreed to

Papers, Question, Captain Pim; Answer, Mr. Hunt *Mar* 13, 1869

Navy—The Admiralty—Civilian First Lords

Amendt. on Committee of Supply *Mar* 13, To leave out from "That," and add "in the opinion of this House, the practice of placing at the head of the Admiralty civilians, who from their antecedents cannot be conversant with the business of that Department, is detrimental to the interests of the service" (*Mr. Bentinck*) *v.*, 1873; after long debate, Question put, "That the words, &c.;" A. 261, N. 18; M. 243

NEVILL, Mr. C. W., *Carmarthen, &c.*

Burial Services in Parish Churchyards, Res. 1394

NEVILLE-GRENVILLE, Mr. R., *Somersetshire, Mid*

Army—Knightsbridge Barracks, Res. 1761
Post Office Cheques, 258
Royal Titles, 2R. 1732

NEWDEGATE, Mr. C. N., *Warwickshire, N.*

Contagious Diseases (Animals), Res. 2051
Royal Titles, Leave, 423

Newfoundland Fisheries — The French Fishermen

Question, Mr. A. M'Arthur; Answer, Mr. J. Lowther *Feb* 21, 554; Question, Captain Price; Answer, Mr. J. Lowther *Feb* 22, 676

Newspaper Registration, &c. Bill
(*Mr. Waddy, Mr. Ashley*)

c. Ordered; read 1°* *Feb* 11 [Bill 64]

NOEL, Mr. E., *Dumfries, &c.*

Royal Style and Titles—The Native Princes of India, 1867, 1868

NOLAN, Captain J. P., *Galway Co.*

Army—Pay of Soldiers and Marines, 1771
Army—Military Forces, Our, Res. 967
Army Recruiting, Res. 1209, 1219
Army Estimates—Land Forces, 1253
  Pay and Allowances, 1487
Cattle Disease (Ireland), 402; 2R. 1778
Contagious Diseases (Animals), Res. 2059
East India—Christianity, Address for Papers, 236
Electoral County Boards (Ireland), 2R. 765, 787
Navy—H.M.S. "Devastation," 1207
Parliament—Referees on Private Bills, Nomination of Select Committee, Amendt. 1496; Motion for Adjournment, *ib.*
Post Office—Ireland, Mail Routes in, 227

[*cont.*

NOLAN, Captain J. P.—*cont.*
Supply—Local Government Board, &c. 517, 519
Lord Lieutenant of Ireland, Household of, &c. 1841
Pauper Lunatics (Ireland), 1846
Public Works in Ireland, 1845

NORTH, Lieut-Colonel J. S., *Oxfordshire*
Army Estimates—Land Forces, 1462

NORTHCOTE, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

NORTHUMBERLAND, Duke of
Noxious Vapours, 791

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
Marine Contracts, Leave, 154
Navy — H.M.S. "Vanguard," Loss of the, Motion for a Paper, 1075
Supply—Suez Canal Shares, Res. 621, 635, 636

Noxious Nuisances—Legislation
Question, Colonel Egerton Leigh; Answer, Mr. Sclater-Booth *Feb* 17, 405

Noxious Vapours
Petition presented (*The Lord Winmarleigh*) *Feb* 23, 790; after short debate, Petition to lie on the Table

O'BRIEN, Sir P., *King's Co.*
Army—Connaught Rangers, 261
India—Silver, Depreciation of, 260
Navy Estimates—Men and Boys, &c. 1942
Supply—Report, 999

O'CLERY, Mr. K., *Wexford Co.*
Electoral County Boards (Ireland), 2R. 771
Workhouse Schools (Ireland), 1711

O'CONOR DON, The, *Roscommon Co.*
Electoral County Boards (Ireland), 2R. 780

O'CONOR, Mr. D. M., *Sligo Co.*
Contagious Diseases (Animals), Res. Amendt. 2036

O'DONOGHUE, The, *Tralee*
Irish Land Act—Compensation under Third Clause, 135
Land Tenure (Ireland), 817
Parliament—Business of the House, 500, 501
Tralee Savings Bank, Motion for a Select Committee, 1582, 1584

Offences against the Person Bill
(*Mr. Charley, Mr. Whitwell*)
c. Ordered; read 1° * *Feb* 9 [Bill 1]
Moved, "That the Bill be now read 2°" *Feb* 10, 138

[*cont.*

Offences against the Person Bill—cont.
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Wheelhouse*); after short debate, Question, "That 'now,' &c.," put, and agreed to
Main Question put, and agreed to; Bill read 2°
Committee deferred, after short debate *Feb* 15, 331
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 1, 1188
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. P. A. Taylor*) *v.*; after short debate, Question put, "That the words, &c.;" A. 108, N. 82; M. 26
Main Question, "That Mr. Speaker, &c.," put, and agreed to; Committee—R.P.
Committee *—R.P. *Mar* 3
Committee *—R.P. *Mar* 6

O'GORMAN, Major P., *Waterford*
Fugitive Slave Circulars, Res. 894, 896
Municipal Franchise (Ireland), 2R. 1164
Supply—Lord Privy Seal, 502
Report, 1000

O'HAGAN, Lord
Appellate Jurisdiction, 2R. 924

ONSLOW, Mr. D. R., *Guildford*
Judicature Act (1873)—Surrey Assizes, 302
Supply, Report, 996

Open Spaces (Metropolitan District) Bill
(*Mr. Whalley, Sir George Bowyer*)
c. Ordered; read 1° * *Feb* 23 [Bill 86]

Ordnance Survey—The Civil Assistants
Question, Mr. Monk; Answer, Lord Henry Lennox *Feb* 24, 811

O'REILLY, Mr. M. W., *Longford Co.*
East India—Christianity, Address for Papers, 230, 237
India—Ecclesiastical Establishments, 674

Orphan and Deserted Children (Ireland) Bill (*Mr. O'Shaughnessy, Mr. O'Reilly, Mr. Bruen, Mr. Redmond*)
c. Ordered; read 1° * *Feb* 9 [Bill 32]

O'SHAUGHNESSY, Mr. R., *Limerick*
Army—Knightsbridge Barracks, Res. 1766
Cattle Disease (Ireland), 2R. 1778
Education, Intermediate (Ireland), 263

O'SULLIVAN, Mr. W. H., *Limerick Co.*
Electoral County Boards (Ireland), 2R. 787
Supply, Report, 999; Motion for Adjournment, 1000

Outlawries Bill
c. Read 1° * *Feb* 8

Oyster Fisheries

Moved, "That a Select Committee be appointed to inquire what are the reasons for the present scarcity of Oysters, and what has been the effect of the measures relating to Oyster Fisheries adopted by Parliament subsequently to the Report of the Royal Commission on Sea Fisheries in 1866" (*Sir Charles Legard*) *Mar* 6, 1498

Amendt. to add "and to report what further legislative measures may, in the opinion of the Committee, be desirable" (*Mr. Cawley*); Question, "That those words be there added," put, and agreed to

Main Question, as amended, put, and agreed to

Committee nominated *Mar* 9; List of the Committee, 1499

Oyster Fisheries Bill

(*Mr. Waddy, Mr. Muntz*)

c. Ordered; read 1°* *Feb* 11 [Bill 65]

Paget, Mr. R. H., *Somersetshire, Mid*

Local Finance, 1122

Palmer, Mr. C. M., *Durham, N.*

Navy—Troop Ship "Orontes," 928

Parish Ministers (Scotland) (Exemption from Rates) Bill

(*Mr. James Barclay, Mr. Baxter, Mr. M'Laren, Dr. Cameron*)

c. Ordered; read 1°* *Feb* 9 [Bill 37]

Parliament

LORDS—

Meeting of the Parliament *Feb* 8

The Parliament opened by The Queen in Person

Her Majesty's Most Gracious Speech delivered by The Lord Chancellor *Feb* 8, 2

An Address to Her Majesty thereon moved by The Earl of Aberdeen (the Motion being seconded by The Earl of Ellesmere), and, after long debate, agreed to, *Nemine Dissentiente* *Feb* 8, 6

Her Majesty's Answer to the Address reported *Feb* 10, 124

Chairman of Committees—The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Feb* 8

Ordered that the Viscount Eversley do take the Chair in all Committees upon Private Bills in the absence of the Lord Redesdale from illness *Feb* 28

Committee for Privileges—appointed *Feb* 8

Sub-Committee for the Journals—appointed *Feb* 8

Appeal Committee—appointed *Feb* 8

Roll of the Lords—Garter King of Arms attending, delivered at the Table (in the usual manner) a List of the Lords Temporal in the Third Session of the Twenty-first Parliament of the United Kingdom *Feb* 8, 6

[cont.

Parliament—Lords—cont.

The Lord Chancellor acquainted the House that the Clerk of the Parliaments had prepared and laid it on the Table (No. 4) *Feb* 11

Private Bills

Orders in relation to Petitions *Feb* 18, 474

Private Bills—Standing Orders Committee on, appointed *Feb* 21; List of the Committee, 550

Opposed Private Bills—Committee appointed *Feb* 21; List of the Committee, 550

COMMONS—

The Queen's Speech having been reported; An humble Address thereon moved by Mr. Ridley (the Motion being seconded by Mr. Mulholland) *Feb* 8, 52; after long debate, Motion agreed to; and a Committee appointed to draw up the said Address; List of the Committee, 114

Report of Address brought up, and read *Feb* 9, 115; after short debate, Address agreed to; to be presented by Privy Councillors

Her Majesty's Answer to the Address reported *Feb* 11, 230

Kitchen and Refreshment Rooms (House of Commons)—Standing Committee appointed and nominated; List of the Committee *Feb* 10, 200

Printing—Select Committee appointed; List of the Committee *Feb* 9, 117

Privileges—Ordered, That a Committee of Privileges be appointed *Feb* 8

Public Accounts—Committee nominated; List of the Committee *Feb* 11, 255

Public Petitions—Select Committee on, appointed; List of the Committee *Feb* 14, 299

Selection—Committee nominated; List of the Committee *Feb* 10, 200

Standing Orders—Select Committee nominated; List of the Committee *Feb* 10, 200

Order

Notices of Motion, Question, Mr. Ritchie; Answer, Mr. Speaker *Mar* 9, 1718

Orders of the Day—*The Irish Land Bill*, Observations, The O'Donoghue; short debate thereon *Feb* 18, 501

Resolution 1875—*Presence of Strangers*, Notice taken, that Strangers were present—

Whereupon Mr. Speaker read the Resolution on the subject which was adopted by the House last Session, and stated that unless otherwise directed by the House he should abide by that Resolution. He accordingly, without further debate, put the Question, "That Strangers be ordered to withdraw;" A. 6, N. 16; and Forty Members not being present, the House was adjourned—*Petition of Mr. C. Henwood*

Observations, Mr. Speaker *Mar* 6, 1420

Privilege

The Suez Canal Shares Contract—22 *Geo. III. c.* 45—*The Messrs. Rothschild*, Question, Mr. Biggar; Answer, Mr. Disraeli; Personal Statement, Sir Nathaniel Rothschild *Feb* 28, 1019

[cont.

PARLIAMENT—COMMONS—*cont.*

Ash Wednesday, Moved, "That this House do meet To-morrow, at Two of the clock" (*Mr. Disraeli*) *Feb* 29, 1124; after short debate, Motion agreed to

Parliament—Appeals and Causes in Error—Standing Order

Moved to resolve, That no Appeal or Cause in Error shall be heard and determined unless there be present at such hearing and determination not less than three Lords holding, or who have held, some of the following high judicial offices; that is to say, the office of Lord Chancellor of Great Britain or Ireland, or of Judge of one of the Superior Courts of Law or Equity in England, or of Her Majesty's High Court of Justice or Court of Appeal in England, or of the Court of Session in Scotland, or of the Superior Courts of Law or Equity in Ireland" (*The Lord Redesdale*) *Mar* 2, 1200; after short debate, on Question? resolved in the affirmative

Ordered, That the said Resolution be declared a Standing Order, and that it be entered on the Roll of Standing Orders of this House

Parliament—Business of the House—Committees of Supply

Moved, "That whenever notice has been given that Estimates will be moved in Committee of Supply, and the Committee stands as the first Order of the Day upon any day except Thursday and Friday, on which Government Orders have precedence, the Speaker shall, when the Order for the Committee has been read, forthwith leave the Chair without putting any Question, and the House shall thereupon resolve itself into such Committee, unless on first going into Committee on the Army, Navy, or Civil Service Estimates respectively an Amendment be moved relating to the division of Estimates proposed to be considered on that day" (*Mr. Disraeli*) *Feb* 17, 469; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Beresford Hope*); Question put; A. 44, N. 136; M. 92

Question again proposed

Amendt. in line 7, to leave out the word "first" (*Mr. Secretary Hardy*); after short debate, Question, "That the word 'first,' &c.," put, and negatived

Main Question, as amended, put, and agreed to

Parliament—Opposed Business

Moved, "That, except for a Money Bill, no Order of the Day or Notice of Motion be taken after half-past Twelve of the clock at night with respect to which Order or Notice of Motion a Notice of Opposition or Amendment shall have been printed on the Notice Paper, or if such Notice of Motion shall only have been given the next previous day of sitting, and objection shall be taken when such Notice is called" (*Mr. Heygate*) *Feb* 10, 186; after short debate, Motion agreed to

Parliament — Petition of Mr. Charles Henwood

Moved, "That the Petition of Mr. Charles Henwood, presented upon the 16th day of February last, be printed and distributed with the Votes" (*Colonel Beresford*) *Mar* 3, 1404

Amendt. to leave out from "That," and add "the Order that the Petition of Mr. Charles Henwood do lie upon the Table be read, and discharged" (*Mr. Hunt*) *v.*; Question proposed, "That the words, &c.;" after short debate—

Forty Members not being present, the House was adjourned

Parliament—Private Bill Committees—The Referees

Amendt. on Committee of Supply *Feb* 18, To leave out from "That," and add "a Select Committee be appointed to inquire and report on the position of the Referees of the House on Private Bills, and particularly as to the legality and expediency of allowing the Referees the same power of voting on a Private Bill Committee as a Member of Parliament regularly elected by a constituency" (*Mr. Anderson*) *v.*, 485; after short debate, Question, "That the words, &c.," put, and negatived; words added; main Question, as amended, put, and agreed to

Moved, "That the Select Committee on Referees on Private Bills do consist of Twenty-one Members" (*Mr. Anderson*) *Mar* 6, 1495

Amendt. to leave out "Twenty-one," and insert "Twenty-three" (*Mr. Sullivan*) *v.*; after short debate, Question put, "That 'Twenty-one,' &c.;" A. 73, N. 21; M. 52

Moved, "That Mr. Spencer Walpole be a Member of the said Committee;" A. 79, N. 11; M. 68

Moved, "That Mr. Dodson be one other Member of the said Committee;" A. 77, N. 11; M 66

Moved, "That Mr. Mowbray be one other Member of the said Committee;" after short debate, Moved, "That the Debate be now adjourned" (*Captain Nolan*); A. 17, N. 68; M. 51

Question put, "That Mr. Mowbray be one other Member of the said Committee;" A. 76, N. 10; M. 66

Moved, "That Mr. Sclater-Booth be one other Member of the said Committee;" A. 74, N. 9; M. 65

Sir Edward Colebrooke nominated

Moved, "That Mr. Pemberton be one other Member of the said Committee;" A. 74, N. 9; M. 65

Moved, "That Mr. Whitbread be one other Member of the said Committee;" A. 74, N. 9; M. 65

Moved, "That Mr. Basil Woodd be one other Member of the said Committee;" A. 74, N. 9; M. 65

Moved, "That Sir John St. Aubyn be one one other Member of the said Committee;" A. 74, N. 7; M. 66

Mr. Kavanagh and The O'Conor Don nominated

[*cont.*

Parliament—Private Bill Committees—The Referees—cont.

Moved, "That Mr. Heygate be one other Member of the said Committee;" A. 71, N. 7; M. 64
Sir Francis Goldsmid nominated
Moved, "That Mr. Mills be one other Member of the said Committee;" A. 75, N. 3; M. 72
Mr. Dillwyn nominated
Moved, "That Mr. Rodwell be one other Member of the said Committee;" A. 74, N. 3; M. 71
Moved, "That Mr. Monk be one other Member of the said Committee;" A. 74, N. 3; M. 71
Moved, "That Mr. Staveley Hill be one other Member of the said Committee;" A. 75, N. 3; M. 72
Moved, "That Mr. Muntz be one other Member of the said Committee;" A. 75, N. 3; M. 72
Moved, "That Mr. John Talbot be one other Member of the said Committee;" A. 74, N. 3; M. 71
Mr. Anderson nominated

Parliament — Private Bills — Solicitation of Members

Moved, "That the solicitation of Members of this House to oppose or support Private Bills on Second Reading by Members connected in any way with interests concerned in that opposition or support, has a tendency to restore the evils which this House sought to redress by the present system of Private Bill Committees chosen by a Committee of Selection" (*Sir Edward Watkin*) *Mar* 6, 1491; after short debate, Motion withdrawn

Parliament—House of Lords

Sat First

Feb 8—The Lord Dorchester, after the death of his Cousin
Feb 11—The Lord Westbury, after the death of his Grandfather
Feb 17—Earl Stanhope, after the death of his Father

New Peers

Feb 8—John Ralph Ormsby-Gore, esquire, created Baron Harlech of Harlech
John Tollemache, esquire, created Baron Tollemache of Helmingham Hall
Sir Robert Tolver Gerard, baronet, created Baron Gerard of Bryn
Feb 10—William Earl of Abergavenny, created Earl of Lewes and Marquess of Abergavenny
Edward Montagu Stuart Granville, Baron Wharncliffe, created Viscount Carlton of Carlton and Earl of Wharncliffe
Feb 17—Henry Gerard Sturt, esquire, created Baron Alington of Crichel

Parliament—House of Commons

New Writs Issued

During Recess

For Suffolk (Western Division), *v.* Fuller Maitland Wilson, esquire, deceased
For Lancaster County (South Western Division), [*v.* Charles Turner, esquire, deceased
For Surrey (Middle Division), *v.* Sir Richard Baggallay, knight, Judge of Her Majesty's Court of Appeal
For Whitehaven, *v.* George Augustus Frederick Cavendish Bentinck, esquire, Judge Advocate General
For Aberdeen County (Eastern Division), *v.* William Dingwall Fordyce, esquire, deceased
For Horsham, *v.* Right honble. Sir William Seymour Vesey Fitzgerald, Chief Charity Commissioner for England and Wales
For Ipswich, *v.* John Patteson Cobbold, esquire, deceased
For Wilts (Southern Division), *v.* Lord Henry Frederick Thynne, Treasurer of Her Majesty's Household
For Salop (Northern Division), *v.* John Ralph Ormsby-Gore, esquire, now Baron Harlech
For Dorset, *v.* Henry Gerard Sturt, esquire, now Baron Alington
For Burnley, *v.* Richard Shaw, esquire, deceased
For Suffolk (Eastern Division), *v.* Viscount Mahon, now Earl Stanhope
For Armagh Borough, *v.* John Vance, esquire, deceased

1876
Feb 8—*For* Berkshire, *v.* Richard Benyon, esquire, Manor of Northstead
For Leominster, *v.* Richard Arkwright, esquire, Chiltern Hundreds
For Manchester, *v.* William Romaine Callender, esquire, deceased
Feb 9—*For* Huntingdon Borough, *v.* Sir John Burgess Karslake, knight, Manor of Northstead
For Enniskillen Borough, *v.* Viscount Crichton, Commissioner of the Treasury
Feb 14—*For* East Retford, *v.* Viscount Galway, deceased
Feb 21—*For* Horsham, *v.* Robert Henry Hurst, esquire, void Election

New Members Sworn

Feb 8—John Ireland Blackburne, esquire, *Lancaster County* (South Western Division)
Thomas Thornhill, esquire, *Suffolk* (Western Division)
Daniel Thwaites, esquire, *Blackburn*
Lord Henry Frederick Thynne, *Wilts* (Southern Division)
Robert Henry Hurst, esquire, *Horsham*
Honble. Edward Henry Trafalgar Digby, *Dorset*

[*cont.*

Parliament—Commons—*New Members Sworn*—cont.
Sir James John Trevor Lawrence, baronet, *Surrey* (Middle Division)
Thomas Clement Cobbold, esquire, *Ipswich*
Sir Alexander Hamilton Gordon, *Aberdeen County* (Eastern Division)
George De La Poer Beresford, esquire, *Armagh Borough*
Stanley Leighton, esquire, *Salop* (Northern Division)
Right honble. George Augustus Cavendish Bentinck, *Whitehaven*
Feb 17—Viscount Hinchingbrook, *Huntingdon Borough*
Thomas Blake, esquire, *Leominster*
Feb 21—Viscount Crichton, *Enniskillen*
Peter Rylands, esquire, *Burnley*
Feb 24—Jacob Bright, esquire (made affirmation), *Manchester*
Frederick St. John Newdegate Barne, esquire, *Suffolk County* (Eastern Division)
Feb 25—Philip Wroughton, esquire, *Berkshire*
Mar 2—William Beckett Denison, esquire, *East Retford*
James Clifton Brown, esquire, *Horsham*

Parliamentary and Municipal Elections
Select Committee appointed, "to inquire into the working of the existing machinery of Parliamentary and Municipal Elections, with power to suggest amendments in the same" (*Sir Charles W. Dilke*) *Feb* 28; Committee nominated *Mar* 8; List of the Committee, 1104

Parliamentary Elections Act, 1868
Controverted Elections — Judges' Reports — Durham County (Northern Division) — Borough of Armagh Feb 8, 51
Horsham Feb 18, 479; New Writ ordered *Feb* 21
East Suffolk Election, Question, Mr. P. A. Taylor; Answer, Mr. Assheton Cross *Mar* 14, 2009
Registration of Electors — Parochial Relief, Question, Mr. Richard; Answer, Mr. Assheton Cross *Mar* 2, 1205

Parnell, Mr. C. S., *Meath*
Army—Military Forces, Our, Res. 988
Contagious Diseases (Animals), Res. 2073
Criminal Law—Edward O'Meagher Condon, The Convict, 1025
India—Bombay Native Army, 682
Navy—H.M.S. "Vanguard," 263
Parliament—Address in Answer to the Speech, 113
Parliament—Referees on Private Bills, Nomination of Select Committee, Amendt. 1497
Protection of Life and Property (Ireland) Act, 1871—Meath, County of, 561

Partition Act (1868) Amendment Bill
(*Sir Henry Jackson, Mr. Alfred Marten*)
c. Ordered; read 1°* *Feb* 15 [Bill 73]
Read 2°* *Mar* 7
Committee*; Report *Mar* 8 [Bill 97]

Patent Laws—Legislation
Question, Mr. Mundella; Answer, The Attorney General *Feb* 18, 484

Patents for Inventions Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª *Feb* 22, 663 (No. 15)
Read 2ª, after short debate *Mar* 14, 1944

Pease, Mr. J. W., *Durham, S.*
Army—Military Forces, Our, Res. 945
Army Estimates—Land Forces, Amendt. 1264, 1486
Commons, 2R. 533
Fugitive Slave Circulars, Res. 837
Metropolis—Hyde Park—Rotten Row, State of, 1206;—Serpentine, 1714, 1715
Royal Titles, 2R. 1759
Supply—Fishery Board (Scotland), 992
Report, 995

Peek, Sir H. W., *Surrey, Mid.*
Inland Revenue—Servants, Taxes on Casual, 400

Peel, Mr. A. W., *Warwick Bo.*
Merchant Shipping Act, 2R. 437, 438

Pell, Mr. A., *Leicestershire, S.*
Burial Services in Parish Churchyards, Res. 1382
Commons, 2R. 534
Contagious Diseases (Animals), Res. 2063
Local Taxation, 1123

Pemberton, Mr. E. L., *Kent, E.*
Unreformed Municipal Corporations (England and Wales), Res. 1158

Percy, Earl, *Northumberland, N.*
Army—Militia Adjutants, 1770

Permissive Prohibitory Liquor Bill
(*Sir Wilfrid Lawson, Sir Thomas Bazley, Mr. Downing, Mr. Richard, Dr. Cameron, Mr. Dalway, Mr. William Johnston*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 19]

Peru—Guano
Question, Mr. M'Lagan; Answer, Mr. Bourke *Feb* 17, 406

Pim, Captain B., *Gravesend*
Henwood, Mr. C., Petition of, Res. 1405
Mercantile Marine—Training Ship Schools, 816
Mercantile Marine — Pensions to Seamen, Res. 1837
Navy—Arctic Expedition, 401
Screw Propellers, 1865
Navy—H.M.S. "Vanguard," Loss of, Motion for a Paper, Amendt. 1074, 1869

Playfair, Right Hon. Mr. Lyon, *Edinburgh and St. Andrew's Universities*
Army Medical Officers, 1799
Civil Service of India—Regulations, 1202
Education Code—Subjects, Choice of, Res. 1811
Scientific Instruction, Royal Commission on, 551
Supply—Civil Service Commission, 1102
Fishery Board, Scotland, 993

Plimsoll, Mr. S., *Derby Bo.*
Mercantile Marine—Unseaworthy Ships, 407
Merchant Shipping, Leave, 180; 2R. 438, 441

Plunket, Hon. D. R. (Solicitor General for Ireland), *Dublin University*
Civil Bill Courts (Ireland), Leave, 544; 1124
Fugitive Slave Circulars, Res. 874
Irish Ante-Union Statutes, 2015

Police Superannuation—Report of Special Committee
Question, Sir H. Drummond Wolff; Answer, Mr. Assheton Cross *Feb* 24, 814

Poolbeg Lighthouse Bill
(*Mr. Edward Stanhope, Sir Charles Adderley*)
c. Ordered; read 1°* *Mar* 13 [Bill 105]

Poor Law Amendment Bill
(*Mr. Sclater-Booth, Mr. Salt*)
c. Ordered; read 1°* *Feb* 17 [Bill 78]

Poor Law Guardians Elections (Ireland) Bill (*Mr. Callan, Sir Colman O'Loghlen, Mr. Maurice Brooks, Mr. Downing*)
c. Ordered; read 1°* *Feb* 25 [Bill 88]

Portugal, Commercial Relations with
Question, Mr. Whitwell; Answer, Mr. Bourke *Feb* 10, 137

Post Office
Miscellaneous Questions
Mail Routes in Ireland, Question, Captain Nolan; Answer, Lord John Manners *Feb* 11, 227
Mails to the Hebrides, Question, Mr. Fraser-Mackintosh; Answer, Lord John Manners *Mar* 13, 1868
North American Mail Contracts, The, Question, Mr. Baxter; Answer, Lord John Manners *Feb* 14, 258
Postal Rates to India, West Indies, and Australia, Question, Mr. Hankey; Answer, Lord John Manners *Feb* 15, 303
Postal Telegraph Service — The Provincial Staff, Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *Mar* 2, 1207;—*The Royal Engineers,* Question, Mr. Anderson; Answer, Lord John Manners *Mar* 9, 1710
Post Office Cheques, Question, Mr. Neville-Grenville; Answer, Lord John Manners *Feb* 14, 258

Post Office—*cont.*
Savings Bank Department—Site, Question, Mr. Redmond; Answer, Lord John Manners *Mar* 13, 1866
Telegraph Cards, Question, Mr. Mitchell Henry; Answer, Lord John Manners *Feb* 10, 137; *Mar* 6, 1413
Telegraph Stamps, Question, Mr. Anderson; Answer, Lord John Manners *Feb* 17, 404

Post Office Telegraph Services [*Loan*]
Considered in Committee; Moved to resolve, "That it is expedient to authorize the Commissioners of Her Majesty's Treasury to raise further sums of money, not exceeding in the whole the sum of Five Hundred Thousand Pounds, for the purposes of the Telegraph Acts, by the creation of Three per cent. Capital Stocks of Annuities chargeable on the Consolidated Fund of the United Kingdom" (*Mr. W. H. Smith*) *Feb* 28, 1103; after short debate, Motion agreed to

Powis, Earl of
Appellate Jurisdiction, Comm. *cl.* 15, 1290
Cattle Diseases (England and Ireland)—Privy Council Regulations, 130
Ecclesiastical Offices and Fees, 2R. 1198
Metropolis—Hyde Park Corner, Traffic at, 549

Price, Mr. W. E., *Tewkesbury*
Army—Military Forces, Our, Res. 952
Army — Militia Quartermasters — Pensions, 1235

Price, Captain G. E., *Devonport*
Iron-clad Navies, British and Foreign, 1916
Navy—Widows of Seamen and Marines, 482
Navy—H.M.S. "Vanguard," Loss of the, Motion for a Paper, 1082
Navy Estimates—Men and Boys, &c. 1941
Newfoundland Fisheries, 676

Prisons (Ireland)—Legislation
Question, Mr. Redmond; Answer, Sir Michael Hicks-Beach *Feb* 14, 264

Protection to Growing Crops (Scotland) Bill (*Sir Alexander Gordon, Sir Robert Anstruther, Viscount Macduff, Sir Windham Anstruther*)
c. Ordered; read 1°* *Mar* 2 [Bill 95]

Publicans Certificates (Scotland) Bill
(*Dr. Cameron, Sir Windham Anstruther, Mr. Ramsay, Mr. Mackintosh*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *Feb* 9 [Bill 45]
Read 2°, after short debate *Feb* 15, 328

Public Health—Typhoid Fever at Eagley
Question, Mr. Charley; Answer, Mr. Sclater-Booth *Feb* 21, 552

RAIKES, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
- Army Estimates—Land Forces, 1277
- Burial Services in Parish Churchyards, Res. 1375
- Metropolitan Railway, 2R. 809
- Navy Estimates—Men and Boys, &c. 1942
- Parliament—Private Bills—Canvassing in the House, Res. 1494
- Parliament—Private Bills—Referees, Motion for a Select Committee, 495
- South Eastern Railway, 2R. 1705, 1706

Railway Passenger Duty
- Moved, "That, in the opinion of this House, the Railway Passenger Duty ought to be reduced at an early date, with a view to its ultimate repeal" (*Mr. Serjeant Spinks*) *Mar* 7, 1586
- Amendt. to leave out from "That," and add "a Select Committee be appointed to inquire into and report upon the operation of the present Law relating to the Railway Passenger Duty, and especially as to its effect upon the working of cheap trains" (*Mr. Rodwell*) *v.*; after short debate, Question, "That the words, &c." put, and negatived
- Question proposed, "That the words 'a Select Committee &c.' be added, instead thereof"
- Amendt. to said proposed Amendt. to add "and further to inquire what additional accommodation for the public may fairly be demanded from the Railway Companies as an equivalent for a reduction or the abolition of the Duty" (*Mr. Fawcett*); Question put, "That those words, &c.;" A. 41, N. 113; M. 72
- Question put, "That the words 'a Select Committee, &c.' be added to 'That' in the original Question;" A. 137, N. 23; M. 144
- Main Question, as amended, put, and agreed to; Select Committee appointed; List of the Committee, 1602

Railways
- *Commission on Railway Accidents — The Report*, Question, Mr. Samuelson; Answer, Sir Charles Adderley *Feb* 15, 301; Question, Mr. Elliot; Answer, Mr. Disraeli *Feb* 21, 551; Question, Observations, Lord Cottesloe; Reply, The Duke of Richmond and Gordon *Feb* 22, 664; Question, Mr. Samuelson; Answer, Sir Charles Adderley *Feb* 25, 928
- *The Passenger Duty*, Question, Lord Claud Hamilton; Answer, The Chancellor of the Exchequer *Feb* 28, 1020

RAMSAY, Mr. J., *Falkirk, &c.*
- Game Laws (Scotland), 2R. 1641
- Supply—Civil Service Commission, 513
  - Local Government Board, &c. 520
  - Lord Lieutenant of Ireland, Household of, &c. 1841
- Lunacy Commission (Scotland), 994

RATHBONE, Mr. W., *Liverpool*
- County Palatine of Lancaster (Clerk of the Peace), 2R. Amendt. 336; Comm. Amendt. 1160, 1161

[*cont.*

RATHBONE, Mr. W.—*cont:*
- Merchant Shipping, 2R. 428
- Municipal Officers Superannuation (No. 2), 2R. 322; Comm. 1603

READ, Mr. Clare S., *Norfolk, S.*
- Contagious Diseases (Animals), Res. 2017, 2073
- Game Laws (Scotland), 2R. 1636

Real Estate Intestacy Bill
(*Mr. Potter, Mr. Leatham, Sir Wilfrid Lawson, Mr. Hopwood, Mr. William Edwin Price*)
c. Ordered; read 1° * *Feb* 9 [Bill 31]

REDESDALE, Lord (Chairman of Committees)
- Appeals—Standing Orders, Res. 1200
- Appellate Jurisdiction, Comm. 1286; 3R. 1946

REDMOND, Mr. W. A., *Wexford*
- Post Office—Savings Bank Department, Site, 1866
- Prisons (Ireland), 264

REED, Mr. E. J., *Pembroke*
- Henwood, Mr. C., Petition of, Res. 1404
- Increase of the Episcopate, 2R. 360
- Iron-clad Navies, British and Foreign, 1891
- Maritime Contracts, Leave, 158, 160
- Merchant Shipping, Leave, 185; 2R. 465
- Municipal Officers Superannuation, Comm. 1605
- Navy Estimates—Men and Boys, &c. 1940
- Supply—Civil Service Commission, 510

Registration of Births and Deaths—Medical Certificates
- Question, Mr. Waddy; Answer, Mr. Sclater-Booth *Feb* 21, 558

Registration of Voters (Ireland) Bill
(*Mr. Mitchell Henry, Mr. Meldon, Mr. Smyth, Mr. Shaw, Mr. Sullivan*)
c. Ordered; read 1° * *Feb* 9 [Bill 4]

RICHARD, Mr. H., *Merthyr Tydvil*
- Army Estimates, Res. 1445
- China—Papers, The, 136
- Coolie Immigration from India to Guiana, 1716
- Electors, Registration of—Parochial Relief, 1205
- Elementary Education Act, 1870 — School Board Schools—Religious Instruction, 483

RICHMOND AND GORDON, Duke of (Lord President of the Council)
- Agricultural Children Act, 131
- Cattle Diseases (England and Ireland)—Privy Council Regulations, 126
- Egypt—Cave, Mr., Mission of, 202
- India—Indian Tariff, 2007
- Mercantile Marine—Training Ships, 1791, 1792

[*cont.*

Richmond and Gordon, Duke of—*cont.*
  Metropolis—Hyde Park Corner, Traffic at, 549
  Noxious Vapours, 791
  Railway Accidents—Royal Commission, Report, 664
  Scottish Teinds, Returns, 1118
  Vivisection, 2008

Ridley, Mr. M. W., *Northumberland, N.*
  Parliament—Address in Answer to the Speech, 52

Ritchie, Mr. C. T., *Tower Hamlets*
  Army Estimates—Militia Pay and Allowances, 1775
  Civil Service, 677
  Fugitive Slave Circulars, Res. 740
  Metropolitan Railway, 2R. 809
  Parliament—Business of the House—Notices of Motion, 1718
  Parliament—Private Bills—Canvassing in the House, Res. 1495
  Sugar Convention, 1864—Holland, 562

Rodwell, Mr. B. B. H., *Cambridgeshire*
  Parliament—Public Bills—Referees, Motion for a Select Committee, 491
  Railway Passenger Duty, Res. Amendt. 1590

Roebuck, Mr. J. A., *Sheffield*
  Supply—Suez Canal Shares, Res. 626

Ronayne, Mr. J. P., *Cork City*
  Parliament—Address in Answer to the Speech, 111

Rosebery, Earl of
  Egypt—Cave, Mr., Mission of, 202
  Heligoland, Address for Papers, 1851, 1855
  Patents for Inventions, 2R. 1944

Rothschild, Sir N., *Aylesbury*
  Privilege—Messrs. Rothschild, 1020

Royal Style and Titles, The
  Question, Sir William Harcourt; Answer, Mr. Disraeli *Mar* 14, 2013
  The Native Princes of India, Question, Mr. Ernest Noel; Answer, Mr. Disraeli *Mar* 13, 1867

Royal Titles Bill
(*Mr. Disraeli, Mr. Secretary Cross, Mr. Attorney General, Lord George Hamilton*)
c. Orders of the Day postponed *Feb* 17
  Paragraph from Her Majesty's Speech read
  Motion for Leave (*Mr. Disraeli*) *Feb* 17, 407; after debate, Motion agreed to; Bill ordered
  Read 1°* *Feb* 21 [Bill 83]
  Moved, "That the Bill be now read 2°" *Mar* 9, 1719

[*cont.*

Royal Titles Bill—cont.
  Moved, "That the Debate be now adjourned" (*Mr. Samuelson*); after long debate, Question put; A. 31, N. 284; M. 253
  Main Question put, and agreed to; Bill read 2°
  The Council of India, Question, Mr. Samuelson; Answer, Mr. Disraeli *Mar* 7, 1568

Russell, Sir C., *Westminster*
  South Eastern Railway, 2R. 1705

Rylands, Mr. P., *Burnley*
  Exchequer Bonds, Comm. *cl.* 2, 1399
  Municipal Officers Superannuation, Comm. 1603
  Navy Estimates—Men and Boys, &c. Motion for reporting Progress, 1942

Sackville, Mr. G. Stopford-, *Northampton, N.*
  Burial Services in Parish Churchyards, Res. 1353

St. Albans, Duke of
  Agricultural Children Act, 130
  Army—Martini-Henry Rifle, 666

Saint Vincent (*Treatment of Coolies*)
  Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies or Extracts of any Correspondence which may have passed from the 1st day of August 1875 to the present date, between the Governor of the Windward Islands, the Lieutenant Governor of Saint Vincent, and the Colonial Office, relative to alleged abuses in treatment of Coolies in Saint Vincent" (*Mr. Errington*) *Mar* 14, 2073; after short debate, Question put, and agreed to

Sale of Food and Drugs Act—Public Analysts
  Question, Mr. Watkin Williams; Answer, Mr. Sclater-Booth *Mar* 3, 1293

Sale of Intoxicating Liquors on Sunday Bill (*Mr. Wilson, Mr. Birley, Mr. Osborne Morgan, Mr. M'Arthur, Mr. James*)
c. Ordered; read 1°* *Feb* 10 [Bill 57]

Sale of Intoxicating Liquors on Sunday (Ireland) Bill (*Mr. Richard Smyth, The O'Conor Don, Mr. James Corry, Mr. William Johnston, Mr. Dease, Mr. Thomas Dickson, Mr. Redmond*)
c. Ordered; read 1°* *Feb* 9 [Bill 38]

Salisbury, Marquess of (Secretary of State for India)
  India—Indian Tariff, 1960, 1978, 1988
  University of Oxford, 1R. 791, 805; 2R. 1693, 1696

Salmon Fisheries Bill
(*Mr. Assheton, Mr. Robertson*)
c. Ordered; read 1° * *Feb* 11 [Bill 60]
Read 2° * *Mar* 10

Samuda, Mr. J. D'A., *Tower Hamlets*
Iron-clad Navies, British and Foreign, 1915
Merchant Shipping, 2R. 458
Metropolitan Railway, 2R. 808
Navy—H.M.S. "Vanguard," Loss of, Motion for a Paper, 1089
Spain—Tonnage Dues, 813

Samuelson, Mr. B., *Banbury*
Railway Accidents, Commission on, Report, 301, 928
Royal Titles, 1568, 1569; 2R. Motion for Adjournment, 1727, 1749, 1759
Supply—Civil Service Commission, 511

Sandford, Mr. G. M. W., *Maldon*
Army—Hythe, Military Scandal at, 259, 1219
Commons, 2R. 536
Parliament—Business of the House, Res. 471

Sandhurst, Lord
Army—Knightsbridge Barracks, 1110, 1117

Sandon, Right Hon. Viscount (Vice President of Committee of Council on Education), *Liverpool*
Contagious Diseases (Animals), Res. 2067
Education—Legislation, 1714
Education Code—Subjects, Choice of, Res. 1809
Elementary Education Act—Miscellaneous Questions
Public Elementary Schools, 1204
Religious Instruction, 483
Wrentham, 1415
Elementary Education Act, 1870—Compulsory Attendance—George Beavis, Case of, 228
John Speers, Case of, 481
Endowed Schools Commissioners—Exeter Endowed Schools Scheme, 134
Medical Degrees—"Conjoint Examinations," 1709
Supply—Charity Commission, 505

Scientific Instruction—Report of the Royal Commission
Question, Mr. Lyon Playfair; Answer, Mr. Assheton Cross *Feb* 21, 551

Sclater-Booth, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
Births and Deaths, Registration of—Medical Certificates, 558
Elementary Education Act—Poor Law Relief, 1417
Noxious Nuisances, Legislation, 405
Public Health—Eagley, Typhoid Fever at, 552
Sale of Food and Drugs Act—Public Analysts, 1293

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Sclater-Booth, Right Hon. G.—*cont.*
Supply—Local Government Board, &c. 516, 519, 520, 522
Valuation of Property, Leave, 239, 254
Valuation of Property (Metropolis) Act (1869) Amendment, Leave, 372; 2R. 1163

Scotland
Miscellaneous Questions
Agricultural Holdings—Legislation, Question, Sir Alexander Gordon; Answer, The Lord Advocate *Feb* 28, 1020
Criminal Law—Case of the "Amelia," Question, Mr. Grieve; Answer, The Lord Advocate *Mar* 9, 1712
Endowed Schools and Hospitals—Legislation, Question, Sir Edward Colebrooke; Answer, The Lord Advocate *Feb* 17, 399
Game Laws—Legislation, Question, Mr. Kinnaird; Answer, Mr. Assheton Cross *Mar* 13, 1864
Intestates Act—Small Testate Estates—Legislation, Question, Mr. J. W. Barclay; Answer, The Lord Advocate *Feb* 24, 818
Poor Law Expenditure, Question, Mr. Baxter; Answer, The Lord Advocate *Feb* 24, 817
Roads—Legislation, Question, Lord Dalkeith; Answer, Mr. Assheton Cross *Feb* 18, 479
Sasine Office (Edinburgh), Question, Mr. Mackintosh; Answer, The Lord Advocate *Feb* 22, 681
Scotch Fisheries—Instructions to Cruisers, Question, Mr. J. W. Barclay; Answer, Mr. Hunt *Mar* 6, 1418
Scotch Teinds, Question, Observations, The Earl of Minto; Reply, The Duke of Richmond and Gordon *Feb* 29, 1118
Sheriff Courts—Legislation, Question, Mr. Farley Leith; Answer, The Lord Advocate *Feb* 14, 264
The Law of Hypothec—Legislation, Question, Mr. M'Lagan; Answer, Mr. Vans Agnew *Feb* 10, 135

Scourfield, Sir J. H., *Pembrokeshire, S.*
Contagious Diseases (Animals), Res. 2057
Parliament—Address in Answer to the Speech, 113
Valuation of Property, Leave, 253

Sea Insurances (Stamping of Policies) Bill (*Mr. Serjeant Simon, Mr. Hubbard, Mr. Norwood, Mr. Rathbone*)
c. Ordered; read 1° * *Feb* 9 [Bill 26]
Read 2°, after short debate *Mar* 1, 1187
Committee *; Report *Mar* 2 [Bill 93]
Committee * (*on re-comm.*)—R.P. *Mar* 8

Seal Fishery—Close Time—International Agreement
Question, Mr. Yeaman; Answer, Sir Charles Adderley *Feb* 14, 263

Seely, Mr. C., *Lincoln City*
Navy—H.M.S. "Vanguard," Loss of, Motion for a Paper, Motion for Adjournment, 1095, 1098

SELBORNE, Lord
Appellate Jurisdiction of the House of Lords, 1R. 222 ; 2R. 909
Fugitive Slaves — The Circulars — Petition, 1533, 1545, 1551

Select Vestries
l. Bill, *pro formâ*, read 1ª *Feb* 8

SELWIN-IBBETSON, Sir H. J. (Under Secretary of State for the Home Department), *Essex, W.*
Game Laws (Scotland), 2R. 1652, 1654
Supply, Report, 996

SHAFTESBURY, Earl of
Ecclesiastical Offices and Fees, 2R. 1196
Mercantile Marine—Training Ships, 1780

Sheriff Courts (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*)
c. Ordered * *Mar* 7
Read 1º * *Mar* 8 [Bill 96]

SHERLOCK, Mr. Serjeant D., *King's Co.*
Navy—H.M.S. "Vanguard," Loss of, Motion for a Paper, 1079

SHUTE, Major-General C. C., *Brighton*
Army—Army Corps, Mobilization of, 556
Army—Knightsbridge Barracks, Res. 1765
Army—Military Forces, Our, Res. 939
Army Recruiting, Res. 1213

SIDEBOTTOM, Mr. T. H., *Staleybridge*
Mines—Coal Mines, Accidents in, 674

Silver, Depreciation of
Select Committee appointed, "to consider and report upon the causes of the depreciation of the price of silver, and the effects of such depreciation upon the exchange between India and England" (*Lord George Hamilton*) *Mar* 3 ; List of the Committee, 1403

SIMON, Mr. Serjeant J., *Dewsbury*
Municipal Officers Superannuation, Comm. 1605
Sea Insurances (Stamping of Policies), 2R. 1187

Slave Trade—The Fugitive Slave Circulars
Royal Commission, The—Legislation, Question, Mr. Whitbread ; Answer, Mr. Bourke *Feb* 11, 230 ; Nomination of Committee, Mr. Disraeli *Feb* 14, 266 ; Question, Mr. Arthur Mills ; Answer, Mr. Disraeli *Feb* 17, 398

Slave Trade—Reception of Fugitive Slaves—The Circulars
Moved, "That, in the opinion of this House, a Slave once admitted to the protection of the British Flag should be treated while on board one of Her Majesty's ships as if he were free, and should not be removed from or ordered to leave the ship on the ground of slavery" (*Mr. Whitbread*) *Feb* 22, 685
[*cont.*

Slave Trade—Reception of Fugitive Slaves—The Circulars—cont.
Amendt. to leave out from "House," and add "in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships" (*Mr. Hanbury*) *v.*; Question proposed, "That the words, &c. ;" after long debate, Moved, "That the Debate be now adjourned" (*Mr. Herschell*) ; Motion agreed to ; Debate adjourned
Debate resumed *Feb* 24, 820 ; after long debate, Question put, "That the words, &c. ;" A. 248, N. 293 ; M. 45
Division List, Ayes and Noes, 897
Question proposed, "That the words, 'in order to maintain most effectually the right of personal liberty, it is desirable to await further information from the Report of a Royal Commission, both as to the instructions from time to time issued to British naval officers, the international obligations of this Country, and the attitude of other States in regard to the treatment of domestic Slaves on board of national ships' (*Mr. Hanbury*) be added" *v.*
Amendt. to the said proposed Amendt. to insert, after the word "desirable," the words "provided that the Circular of the 5th day of December 1875 and the East Indies Station Order of 1871, on the subject of Fugitive Slaves, shall not continue in force" (*Mr. Fawcett*); Question put, "That those words be there inserted ;" A. 245, N. 290 ; M. 45
Words added ; main Question, as amended, put, and agreed to
Notices of Resolutions, Question, Mr. Mark Stewart ; Answer, Mr. Whitbread *Feb* 24, 819
Debate in the Commons, The, Personal Explanation, Earl Granville ; short debate thereon *Feb* 25, 903
Instructions, Petition of the three Denominations (*Viscount Cardwell*) *Mar* 7, 1506 ; after debate, Petition to lie on the Table ; Personal Explanation, The Lord Chancellor *Mar* 9, 1660

SMITH, Mr. T. E., *Tynemouth, &c.*
Council of India (Professional Appointments), 2R. 1282
Mercantile Marine—Pensions to Seamen, Res. 1837
Merchant Shipping, 2R. 440
Navy—"Alberta" and "Mistletoe," Collision of, 1203

SMITH, Mr. W. H. (Secretary to the Treasury), *Westminster*
Legal Departments Commission, 1874—Report, 1838
National Gallery—Wynn Ellis Bequest, 560
Parliament—Public Business, 1126
Post Office Telegraph Services (Loan), Res. 1103
Supply—Charity Commission, 504, 506
Civil Service Commission, 506, 508, 514
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SMITH, Mr. W. H.—*cont.*
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Criminal Prosecutions, &c., England, 1847
Exchequer and other Offices in Scotland, 990
Fishery Board, Scotland, 992, 993
Friendly Societies, Registry of, 515
Local Government Board, &c. 518
Lord Lieutenant of Ireland, Household of, &c. 1839
Lunacy Commission, Scotland, 994
Public Works in Ireland, 1845
Stationery and Printing, 990
Telegraphs (Money), 2R. 1489

SMOLLETT, Mr. P. B., *Cambridge*
Royal Titles, 2R. 1754

SOMERSET, Duke of
Africa, West Coast of—Exchange of Territory, 387
Mercantile Marine—Training Ships, 1790
Navy—Chain Cables and Anchors, 545, 547
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SOMERSET, Lord H. R. C. (Comptroller of the Household), *Monmouthshire*
Queen's Speech—Her Majesty's Answer to the Address, 230

South Eastern Railway Bill (by Order)
c. 2R. debate adjourned, after short debate *Mar* 9, 1703

South Kensington Museum—Art Library
Question, Mr. Mundella; Answer, Lord Henry Lennox *Mar* 7, 1567

Spain—Tonnage Dues
Question, Mr. Samuda; Answer, Mr. Bourke *Feb* 24, 813

SPEAKER, The (Right Hon. H. B. W. BRAND), *Cambridgeshire*
Army—Pay of Soldiers and Marines, 1771
Electoral County Boards (Ireland), 2R. 783, 787
Fugitive Slave Circulars, Res. 896
Henwood, Mr. C., Petition of, Res. 1405
Homicide Law Amendment, 2R. 1659
Mercantile Marine—Pensions to Seamen, Res. 1820
Metropolitan Railway, 1120
Navy—H.M.S. "Vanguard," Loss of, Motion for a Paper, 1098
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Parliament—Referees on Private Bills, Nomination of Select Committee, 1496

SPINKS, Mr. Serjeant F. L., *Oldham*
Railway Passenger Duty, Res. 1586, 1601

STACPOOLE, Captain W., *Ennis*
Army Veterinary Surgeons, 1864
Electoral County Boards (Ireland), 2R. 783, 787
Land, Owners of (Ireland)—"Domesday Book," 1208
Navy—H.M.S. "Vanguard," Loss of, Motion for a Paper, 1098
Supply—Fishery Board in Scotland, 993
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STANHOPE, Hon. E., *Lincolnshire, Mid*
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STANLEY OF ALDERLEY, Lord
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STANLEY, Hon. Captain F. A. (Financial Secretary for War) *Lancashire, N.*
Army—Militia Adjutants, 1768, 1771
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STANSFELD, Right Hon. J., *Halifax*
Fugitive Slave Circulars, Res. 849, 850, 851
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STARKIE, Mr. J. P. C., *Lancashire, N.E.*
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STEWART, Mr. M. J., *Wigton Bo.*
Contagious Diseases (Animals), Res. 2057
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STORER, Mr. G., *Nottinghamshire, S.*
Contagious Diseases (Animals), Res. 2066
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Supply—Public Works in Ireland, 1845

Sugar Convention, 1864—*Holland*
Question, Mr. Ritchie; Answer, Mr. Bourke *Feb* 21, 562

SULLIVAN, Mr. A. M., *Louth Co.*
Army Estimates—Land Forces, 1274
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Fugitive Slave Circulars, Res. 896, 897
Ireland—Miscellaneous Questions
Intemperance, 1865
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Sunday Drinking (Ireland)—Return, 1418
Parliament—Referees on Private Bills, Nomination of Select Committee, Amendt. 1495, 1496
Supply—Chief Secretary for Ireland Offices, 1843
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Miscellaneous Questions

Army Estimates—The Increased Pay of the Soldiers, Question, Mr. Shaw Lefevre; Answer, Mr. Gathorne Hardy *Mar* 3, 1295

Local Finance—Annual Statement, Question, Mr. Paget; Answer, The Chancellor of the Exchequer *Feb* 29, 1122

SUPPLY

Resolved, That this House will, upon Friday, resolve itself into a Committee to consider of the Supply to be granted to Her Majesty *Feb* 9

Considered in Committee *Feb* 14, 266—£4,080,000, Suez Canal Shares—After debate, debate adjourned—Committee—r.p.

Considered in Committee *Feb* 18, 500—Civil Service Estimates—Class II.—Salaries and Expenses of Public Departments

Resolutions reported *Feb* 23, 789

Postponed Resolutions considered, and further postponed *Feb* 25, 995

Res. 4, 9, 10 postponed

Considered in Committee *Feb* 21, 562—£4,080,000, Suez Canal Shares—Question again proposed—Resolution reported *Feb* 22

Considered in Committee *Feb* 25, 990—Civil Service Estimates—Class II.—Salaries and Expenses of Public Departments — Resolutions reported *Feb* 28

The Civil Service Commission, Appointment of Lord Hampton, Observations, Mr. Mundella *Feb* 28, 1099

Postponed Resolutions [*Feb* 28] further considered *Feb* 28, 1099

Res. 10. "That a sum, not exceeding £22,893, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1877, for the Salaries and Expenses of the Civil Service Commission"

Amendt. to leave out "£22,893," and insert "£22,393" (*Mr. Mundella*) *v.*; after short debate, Question put, "That '£22,893,' &c.;" A. 159, N. 126; M. 33

Considered in Committee *Mar* 2, 1236—Army Estimates—Departmental Statement of the Secretary of State for War in moving the Army Estimates—Committee—r.p.

Considered in Committee *Mar* 6, 1456—Army Estimates—Resolutions reported *Mar* 9—Committee—r.p.

Considered in Committee *Mar* 9, 1775—Army Estimates—Resolutions reported *Mar* 10

Considered in Committee *Mar* 10, 1839—Civil Service Estimates — Class II.—Salaries and Expenses of Public Departments—Resolutions reported *Mar* 13

Considered in Committee *Mar* 13, 1918—Navy Estimates—Departmental Statement of the First Lord of the Admiralty in moving the Navy Estimates—60,000 Men and Boys (including 14,000 Marines)—Resolution reported *Mar* 14

Talbot, Mr. J. G., *Kent, W.*

Burial Services in Parish Churchyards, Res. Amendt. 1363, 1365

Increase of the Episcopate, 2R. 371

Taylor, Right Hon. Colonel T. E., *Dublin Co.*

Agricultural Holdings (England) Act—Duchy of Lancaster, 1796

Taylor, Mr. P. A., *Leicester Bo.*

Criminal Law—Wife Desertion—George Warrington, Case of, 2011

Game Laws (Scotland), 2R. 1643

Law and Justice—Wilberforce, Mr. R. G., Case of, 675, 676

Mutiny, 1873

Offences against the Person, Comm. 331; Amendt. 1180

Parliament—East Suffolk Election, 2009

Public Business, 1124, 1126

Valuation of Property (Metropolis) Act (1869) Amendment, 2R. 1162

Telegraphs (Money) Bill
(*Mr. Raikes, Lord John Manners, Mr. William Henry Smith*)

c. Resolution [February 28] reported, and agreed to; Bill ordered; read 1° * *Mar* 1 [Bill 90]

Read 2°, after short debate *Mar* 6, 1488

Committee *; Report *Mar* 9

Read 3° * *Mar* 10

l. Read 1ª * (*Lord President*) *Mar* 13 (No. 29)

Temple, Right Hon. W. F. Cowper-, *Hants, S.*

Commons, 2R. 535

Tenant Right at the Expiration of Leases Bill (*Mr. Mulholland, Lord Arthur Edwin Hill-Trevor, The Marquess of Hamilton, Captain Corry, Mr. Chaine*)

c. Ordered; read 1° * *Feb* 21 [Bill 84]

Toll Bridges (River Thames) Bill
(*Mr. Alderman M'Arthur, Sir James Clarke Lawrence, Mr. Forsyth, Sir Henry Peek, Sir Trevor Lawrence, Sir Charles Russell*)

c. Ordered; read 1° * *Feb* 16 [Bill 77]

Torr, Mr. J., *Liverpool*

County Palatine of Lancaster (Clerk of the Peace), 2R. 336

Towns Rating (Ireland) Bill
(*Sir Joseph M'Kenna, Mr. Butt, Mr. Maurice Brooks, Mr. Meldon*)

c. Ordered; read 1° * *Feb* 9 [Bill 41]

Tracy, Hon. C. R. D. Hanbury-, *Montgomery, &c.*

Navy—Circular Ships, 1798

Navy—H.M.S. "Vanguard," Loss of the, Motion for a Paper, 1064

Trade Union Act, 1871—*Legislation*

Question, Mr. Mundella; Answer, The Chancellor of the Exchequer *Feb* 22, 678

Trade Union Act (1871) Amendment Bill
(*Mr. Mundella, Mr. Thomas Brassey, Mr. Jacob Bright, Mr. Morley*)
c. Ordered; read 1° * *Mar* 1 [Bill 92]

Training Schools and Ships Bill
(*Captain Pim, Mr. Coope*)
c. Ordered; read 1° * *Feb* 9 [Bill 13]

Tralee Savings Bank
Moved, "That a Select Committee be appointed to inquire into the case of the depositors in the late Tralee Savings Bank" (*The O'Donoghue*) *Mar* 7, 1582: after short debate, Question put; A. 54, N. 133; M. 79

Turkey
Bosnia and Herzegovina, Question, Mr. Bruce; Answer, Mr. Bourke *Feb* 17, 406
The Guaranteed Loan of 1855, Question, Mr. W. Gordon; Answer, The Chancellor of the Exchequer *Feb* 17, 398

Turkey—Firman on Reforms—The Andrassy Note
Moved that an humble Address be presented to Her Majesty for, Copies of the firman on reforms which has lately come from the Sublime Porte, and of the Austrian note by which it has been followed (*The Lord Campbell*) *Mar* 6, 1405; after short debate, Motion agreed to

TURNOR, Mr. E., *Lincolnshire, S.*
Contagious Diseases (Animals), Res. 2059

Turnpike Acts Continuance
Select Committee appointed, "to inquire into the Sixth Schedule of 'The Annual Turnpike Acts Continuance Act, 1875" (*Mr. Salt*) *Feb* 24; List of the Committee, 903; Instruction to the Committee

Union Rating (Ireland) Bill
(*Mr. O'Shaughnessy, Mr. Butt, Mr. Downing, Mr. Sheil*)
c. Ordered; read 1° * *Feb* 10 [Bill 58]

United Parishes (Scotland) Bill
(*Mr. Dalrymple, Colonel Alexander, Mr. M'Lagan*)
c. Ordered; read 1° * *Feb* 11 [Bill 62]
Read 2° *Feb* 21, 661
Committee *; Report *Feb* 22
Read 3° * *Feb* 24
l. Read 1ª * (*The Lord Steward*) *Feb* 25 (No. 18)

United States—General Schenck
Question, Mr. Anderson; Answer, Mr. Bourke *Mar* 10, 1798

University of Oxford Bill [H.L.]
(*The Marquess of Salisbury*)
l. Presented; read 1ª, after short debate *Feb* 24, 791 (No. 16)
Moved, "That the Bill be now read 2ª" *Mar* 9, 1661
[*cont.*

University of Oxford Bill—cont.
Amendt. to leave out from ("That,") and insert ("this House regrets that any legislation should be undertaken in reference to either University, except after a more extended and comprehensive inquiry than fell within the scope of the recent Royal Commission") (*The Lord Colchester*); after long debate, on Question, "That the words, &c.?" resolved in the affirmative; Bill read 2ª

Valuation of Property Bill
(*Mr. Sclater-Booth, Mr. Salt, Mr. William Henry Smith*)
c. Motion for Leave (*Mr. Sclater-Booth*) *Feb* 11, 239; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 59]

Valuation of Property (Metropolis) Act Amendment Bill
(*Mr. J. G. Hubbard, Mr. Forsyth, Mr. Twells*)
c. Motion for Leave (*Mr. J. G. Hubbard*) *Feb* 16, 371; after short debate, Motion agreed to; Bill ordered; read 1° * [Bill 74]
Moved, "That the Bill be now read 2°" *Feb* 29, 1162
Amendt. to leave out "now," and add "upon this day month" (*Mr. Goldsmid*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn
[House counted out]

VIVIAN, Mr. H. Hussey, *Glamorganshire*
Navy—Coal, 1413

Vivisection
Legislation, Observations, Question, Lord Henniker; Reply, The Duke of Richmond and Gordon *Mar* 14, 2008
Report of the Royal Commission, Question, Mr. Stansfeld; Answer, Mr. Assheton Cross *Feb* 24, 819

WADDY, Mr. S. D., *Barnstaple*
Births and Deaths, Registration of—Medical Certificates, 558
Endowed Schools Commissioners—Exeter Endowed Schools Scheme, 134
Fugitive Slave Circulars, Res. 842
Judicature Act, 1873—Official Referees, 302, 303
Supply—Chancery Division of the High Court of Justice, &c. Amendt. 1847
Local Government Board, &c. 518

WAIT, Mr. W. K., *Gloucester*
Army—Militia, Adjutants of, 674
Quartermasters, 814

WALPOLE, Right Hon. Spencer H., *Cambridge University*
Increase of the Episcopate, 2R. 364
Parliament—Business of the House, 500

WALTER, Mr. J., *Berkshire*
Burial Services in Parish Churchyards, Res. 1349

WARD, Dr. M. F., *Galway*
Army Medical Service—Civilian Doctors, 401
Army Estimates — Medical Establishments, 1488
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Equity Courts (Ireland)—Lord Justice Christian, Personal Explanation, 2017
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Public Works in Ireland, 1845

Waste Lands (Ireland) Reclamation Bill
(*Mr. Parnell, Mr. MacCarthy, Captain Nolan*)
c. Ordered; read 1° * *Feb* 9 [Bill 12]

WATERLOW, Sir S. H., *Maidstone*
Borough Boundaries, 2010
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WATKIN, Sir E. W., *Hythe*
Army—Military Prisoners—Gunner Charlton, Case of, 256
County Palatine of Lancaster (Clerk of the Peace), 2R. 337
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Parliament—Private Bills—Canvassing in the House, Res. 1491, 1495
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Inland Revenue—Taxes on Casual Servants, Question, Sir Henry Peek; Answer, The Chancellor of the Exchequer *Feb* 17, 400; —*Grocers' Wine and Spirit Licences,* Question, Mr. Bolckow; Answer, Mr. Assheton Cross *Mar* 7, 1568
Inland Revenue Department, Question, Mr. Dunbar; Answer, The Chancellor of the Exchequer *Feb* 21, 556
The Stamp Act—Marine Policies—"Sassoon v. Harris," Question, Mr. Grieve; Answer, The Chancellor of the Exchequer *Feb* 22, 679

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Resolved, "That this House will, upon Friday, resolve itself into a Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty *Feb* 9
[See titles *Consolidated Fund* (£4,080,000) *Bill—Exchequer Bonds* (£4,080,000) *Bill*]

WHALLEY, Mr. G. H., *Peterborough*
Army Estimates—Land Forces, 1277
Electoral County Boards (Ireland), 2R. 783
Mercantile Marine—Pensions to Seamen, Res. 1829, 1830

WHEELHOUSE, Mr. W. St. James, *Leeds*
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Homicide Law Amendment, 2R. 1659
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WHITBREAD, Mr. S., *Bedford*
Fugitive Slaves—Circulars, 230; Res. 685, 819
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WHITWELL, Mr. J., *Kendal*
Commons, Leave, 197; 2R. 543
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Supply—Civil Service Commission, 511
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WHITWORTH, Mr. B., *Kilkenny*
Constabulary (Ireland) — James Brannigan, Case of, 560
Fugitive Slave Circulars, Res. 889

Wild Fowl Preservation Bill
(*Mr. Chaplin, Mr. Rodwell*)
c. Ordered; read 1° * *Feb* 9 [Bill 42]
2R., debate adjourned *Feb* 23, 788
2R.*, debate further adjourned *Feb* 24

WILLIAMS, Mr. W., *Denbigh, &c.*
Burial Services in Parish Churchyards, Res. 1383
Churchyards—Owston Churchyard, 1201
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WILMOT, Sir J. E., *Warwickshire, S.*
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WILSON, Mr. C. H., *Kingston-upon-Hull*
Army—Recruiting, 1795
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Supply—Suez Canal Shares, Res. 577

Women's Disabilities Removal Bill
(*Mr. Forsyth, Sir Robert Anstruther, Mr. Russell Gurney, Mr. Stansfeld*)
c. Ordered; read 1°* *Feb* 9 [Bill 20]

WYNDHAM, Hon. P. S., *Cumberland, W.*
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YEAMAN, Mr. J., *Dundee*
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YORK, Archbishop of
Ecclesiastical Offices and Fees, 2R. 1197

YORKE, Mr. J. R., *Gloucestershire, E.*
Army—Knightsbridge Barracks, 555, 1221, 1294; Res. 1760
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LONDON: CORNELIUS BUCK, 23, PATERNOSTER ROW, E.C.

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